

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK
3 -----x

09-CR-00466 (BMC)

4 UNITED STATES OF AMERICA,

United States Courthouse
Brooklyn, New York

5 -against-

December 10, 2018
9:30 a.m.

6 JOAQUIN ARCHIVALDO GUZMAN
7 LOERA,
8

Defendant.
9 -----x
10

TRANSCRIPT OF CRIMINAL CAUSE FOR TRIAL
BEFORE THE HONORABLE BRIAN M. COGAN
UNITED STATES DISTRICT JUDGE
BEFORE A JURY

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PROCEEDINGS

1 (In open court.)

2 THE COURTROOM DEPUTY: All Rise.

3 THE COURT: Good morning, have a seat.

4 Before we bring in the jury, a couple of minor
5 details that I want to clear first with regard to this
6 weekend's motions. The Government's motion in limine, I'd
7 like the defense response on December 12, is that okay, that's
8 Wednesday.

9 MR. BALAREZZO: Yes.

10 THE COURT: If the Government wants to reply it can
11 do so on Thursday.

12 The defense motion for reconsideration, I'd like the
13 Government's opposition by Thursday. And if there is a reply
14 I'll take that on Saturday.

15 Then lastly, when is the Government witness who is
16 subject to the 3500 material that I have to review in camera?
17 When is that going to be?

18 MS. PARLOVECCHIO: As soon as Tuesday afternoon or
possibly Wednesday morning.

19 THE COURT: Okay, I'll get to it. That's fine.
20 Let's have the jury.

21 (Jury enters.)

22 THE COURT: Everyone can be seated. Good morning
23 everyone, welcome back.

24 The Government may call its next witness.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 MR. ROBOTTI: Thank you, Judge. The Government
2 calls Tirso Martinez Sanchez.

3 COURTROOM DEPUTY: Stand and raise your right hand.

4 (Witness takes the witness stand.)

5 TIRSO MARTINEZ SANCHEZ, called as a witness, having been first
6 duly sworn/affirmed, was examined and testified as follows:

7 THE WITNESS: Yes.

8 COURTROOM DEPUTY: State and spell your name for the
9 record.

10 THE WITNESS: Tirso Martinez Sanchez, T-I-R-S-O,
11 M-A-R-T-I -- I'm sorry -- M-A-R-T-I-N-E-Z, S-A-N-C-H-E-Z.

12 COURTROOM DEPUTY: Thank you, you may be seated.

13 THE COURT: You may inquire.

14 MR. ROBOTTI: Thank you.

15 DIRECT EXAMINATION

16 BY MR. ROBOTTI::

17 Q Good morning.

18 A Good morning.

19 Q What country are you from?

20 A From Mexico.

21 Q Are you familiar with the Sinaloa Cartel?

22 A Yes.

23 Q Did you have a relationship with the Sinaloa Cartel?

24 A Yes.

25 Q What was that relationship?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A I worked for the cartel.

2 Q Is it fair to say you were a member of that organization?

3 A Yes.

4 Q During approximately what years were a member of the
5 Sinaloa Cartel?

6 A From approximately 1995 to 2003.

7 Q What is the Sinaloa Cartel?

8 A Yes, it's a group of people, drug traffickers, that
9 traffic drugs.

10 Q In what country is the Sinaloa Cartel primarily based?

11 A In Mexico, Sinaloa, Mexico.

12 Q To where did the Sinaloa Cartel primarily send drugs?

13 A To the United States.

14 Q During the time you were a member of the Sinaloa Cartel,
15 were you also a member of another cartel?

16 A Yes.

17 Q What cartel?

18 A The Ciudad Juarez.

19 Q Who were the leaders of the Sinaloa Cartel while you were
20 a member?

21 A Chapo Guzman, Mayo Zambada, El Azul, Nacho Coronel, and
22 the Beltran-Leyva brothers.

23 Q Who were the leaders of the Juarez Cartel while you were
24 a member?

25 A Amado Carrillo, Vicente Carrillo and Flaco Quirarte.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q During this times what was relationship between the
2 Sinaloa Cartel and the Juarez Cartel?

3 A They were partners.

4 Q Did you view them as the same organization or a different
5 organization?

6 A The same.

7 Q How did you refer to that larger organization?

8 A El Cartel.

9 Q You mentioned Chapo Guzman, do you know his real name?

10 A Yes.

11 Q What is it?

12 A Joaquin Guzman Loera.

13 Q Are you familiar with Joaquin Guzman Loera?

14 A Yes.

15 Q Have you ever met him in person?

16 A Yes.

17 Q How many times?

18 A Twice.

19 Q Do you see Joaquin Guzman Loera in the courtroom today?

20 A Yes.

21 Q Could you please identify him by an article of clothing
22 that he's wearing?

23 A Yes. He's wearing a blue shirt, short, with a black tie.

24 MR. ROBOTTI: Your Honor, could the record reflect
25 the witness has identified the defendant?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 THE COURT: It does.

2 Q What was your relationship with the defendant at the time
3 you were a member of the cartel?

4 A Good, I worked for the cartel.

5 Q Specifically what was your job?

6 A Bring the drugs to the United States.

7 Q What primary method of transportation did you use?

8 A Trains.

9 Q Could you describe your responsibilities with respect to
10 that train route?

11 A Yes, yes. I was responsible for bringing the drugs into
12 the United States and having them distributed.

13 Q Did you oversee that train route?

14 A Yes, I managed it.

15 Q To what U.S. cities did you send drugs?

16 A Los Angeles, California, Chicago and New York.

17 Q What kind of drugs did you transport to the United States
18 over this train route?

19 A Mostly cocaine and marijuana.

20 Q Let's talk a little about your background. Where are you
21 from in Mexico?

22 A Guadalajara Jalisco, Mexico.

23 Q What is your highest level of education?

24 A The eighth grade in the United States.

25 Q The equivalent of eighth grade in the United States?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q You went to school in Mexico?

3 A Yes.

4 Q About how old when you stopped going to school?

5 A I stopped on two occasions, but I was 13 when I stopped
6 going to school.

7 Q How is your reading ability?

8 A Not too good.

9 Q Did you work growing up?

10 A Yes.

11 Q Doing what in general?

12 A I washed cars, did shoes, I worked at a seafood stand.

13 Q At some point did you move away from Guadalajara?

14 A Yes.

15 Q To where?

16 A To Los Angeles, California.

17 Q About what year was that?

18 A Approximately in '86.

19 Q So about how old were you?

20 A I was approximately 18, 19 years old.

21 Q From 1986 to 1994 where did you live?

22 A In Los Angeles, California.

23 Q During this time what was your main source of income?

24 A From the sale of drugs.

25 Q What type of drug?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Cocaine.

2 Q On average from 1986 to 1994 about how much cocaine per
3 year were you distributing in Los Angeles?

4 A I started selling grams and later on hundreds of kilos.

5 Q When you entered the United States, did you enter it
6 illegally or legally?

7 A Illegally.

8 Q About how many times did you enter illegally?

9 A Fifty, 100 times.

10 Q Were you ever arrested for illegal entry?

11 A Yes.

12 Q How many times?

13 A Two times.

14 Q Did you ever enter the United States with a fake
15 passport?

16 A Many times.

17 Q How many fake passports did you have?

18 A I used five to ten fake passports.

19 Q Have you ever personally used marijuana?

20 A Yes.

21 Q How about cocaine?

22 A Yes.

23 Q During what years did you use those drugs?

24 A I started using drugs in approximately 1981, 1982.

25 Q Until when?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTI

1 A Up until 2008, 2007, 2008.

2 Q From the early '80s until 2007 or 2008, was there ever a
3 period that you stopped using drugs?

4 A Yes.

5 Q During what years?

6 A Approximately from 2001 or 2002 until 2004.

7 Q When you used cocaine, how often did you use it?

8 A I would say daily.

9 Q How about marijuana?

10 A Three or four times a week.

11 Q Did you also use alcohol?

12 A Yes.

13 Q During what years?

14 A Same years, from 1981, 1982 until 2008.

15 Q Did you also stop using alcohol the same years you
16 stopped using drugs?

17 A Yes.

18 Q How would you describe your relationship with alcohol?

19 A I'm an alcoholic.

20 Q When you were drinking, how often would you drink?

21 A Almost every day.

22 Q How many years has it been since you used drugs and
23 alcohol?

24 A For approximately ten or 11 years.

25 Q What, if any, impact has your drug and alcohol use had on

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 your memory on the events that you're testifying about today?

2 A None.

3 Q When you were using drugs and alcohol, typically at what
4 times of day would you use them?

5 A At night.

6 Q Did you typically drink during the times you were
7 engaging in drug trafficking?

8 A No.

9 Q Did you typically use drugs during that time?

10 A When I was working, no.

11 Q I'd like to show you what is in evidence as Government's
12 Exhibit 74A. Do you recognize this?

13 A Yes.

14 Q Who is that?

15 A Me.

16 Q About when was this photograph taken?

17 A Yes, that was May 2001 when I got married.

18 Q Looking at Government's Exhibit 74B, who is the person in
19 the right of the photograph?

20 A Me.

21 Q About when was this taken?

22 A Approximately 2003, 2004.

23 Q Do you have any aliases?

24 A Many.

25 Q What aliases?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTI

1 A El Mecanico, El Centenario, El Futbolista, Jose Luis
2 Martinez Sanchez, Jose Martinez, Manuel Martinez Ochoa, Rafael
3 Barragan, Arturo Menendez and many others.

4 Q Why did you have so many aliases?

5 A Because in case of an investigation I wouldn't want the
6 authorities to know my real name.

7 Q One of your aliases was Futbolista?

8 A Yes.

9 Q What does that mean?

10 A Well, they called me Futbolista because I liked to play
11 soccer. I was also an owner of some soccer teams.

12 Q Where did you own those teams?

13 A In Mexico. In Queretaro, Mexico; in Celaya Guanajuato,
14 Mexico, Irapuato Guanajuato, Mexico, and La Piedad Nochoacan
15 Mexico.

16 Q With what kind of money did you buy those soccer teams?

17 A With the sale of drugs.

18 Q Let's talk about your early period with the cartel.

19 Earlier you mentioned someone named Amado Carrillo, could you
20 remind the jury who he was?

21 A Yes, he was a drug trafficker that trafficked drugs.

22 Q I'm going to show you what is marked as Government's
23 Exhibit 9 in evidence. Do you recognize this person?

24 A Yes.

25 Q Who is this?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTI

1 A Amado Carrillo.

2 Q Do you know what his alias was?

3 A Yes.

4 Q What was that?

5 A El Senor de Los Cielos, the Lord of the Skies.

6 Q Do you know why he was called that?

7 A Yes.

8 Q How did you know that?

9 A Through Flaco Quirarte.

10 Q Who was Flaco Quirarte?

11 A Another member of the Juarez Cartel, a drug trafficker.

12 Q What was his full name?

13 A Eduardo Gonzalez Quirarte.

14 Q For whom, if anyone, did he work directly?

15 A For Amado Carrillo.

16 Q What did he tell you about Amado Carrillo's alias, the
17 Lord of the Skies?

18 A Well, that they called his Compadre, Amado Carrillo, the
19 Lord of the Skies, because most the drugs that he brought from
20 Colombia to Mexico he brought by plane.

21 Q Are you familiar with Flaco Quirarte?

22 A Yes.

23 Q Have you ever met him?

24 A Yes.

25 Q About how many times?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Many times, 50, 100, more times.

2 Q I'm showing you what is in evidence as Government's
3 Exhibit 83, this one is marked for identification, sorry about
4 that.

5 Do you recognize this?

6 A Yes.

7 Q Who is that?

8 A Flaco Quirarte.

9 MR. ROBOTTI: The Government offers Government's
10 Exhibit 83 into evidence.

11 MR. PURPURA: No objection.

12 THE COURT: Received.

13 (Government Exhibit 83, was received in evidence.)

14 BY MR. ROBOTTI::

15 Q Is this the person you identified as Flaco Quirarte?

16 A Yes.

17 Q At some point did you start working for him?

18 A Yes.

19 Q Doing what?

20 A Selling drugs in the United States.

21 Q Where in the United States?

22 A In Los Angeles, California.

23 Q During what years were you selling drugs for Flaco
24 Quirarte in Los Angeles?

25 A Approximately from '94 to '95.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q How were the drugs transported to Los Angeles at this
2 time?

3 A Yes, they were transported via cargo trucks from Ciudad
4 Juarez to El Paso, Texas; and from El Paso, Texas, to Los
5 Angeles.

6 Q Approximately how many shipments did you receive in Los
7 Angeles via this route?

8 A Between seven, eight, or ten shipments.

9 Q How large were the shipments that Flaco Quirarte were
10 sending to Los Angeles?

11 A Yes, between 1200 to 1500 to 1700 kilos.

12 Q At some point did you start receiving drugs from Flaco
13 Quirarte elsewhere?

14 A Yes.

15 Q Where was that?

16 A In Chicago.

17 Q About when did that change occur from Los Angeles to
18 Chicago?

19 A Approximately '96, '96, '97 approximately.

20 Q What was your role in this new route to Chicago?

21 A I distributed the drugs.

22 Q Where were you living when the shipments started going to
23 Chicago?

24 A Well, I lived in Mexico in Guadalajara Jalisco, Mexico.

25 Q Why had you left Los Angeles?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Because I felt that the police was surveilling me.

2 Q How you were receiving drugs in Chicago if you were
3 living in Mexico?

4 A Through my workers.

5 Q How did you find your workers in Chicago?

6 A They were people I had known for many years from Mexico.

7 Q How many workers did you have in Chicago at this time?

8 A I had between three to five workers.

9 Q How did you communicate with them?

10 A By phone.

11 Q Now what was the method of transportation from Mexico to
12 Chicago?

13 A Via cargo trucks.

14 Q How, if at all, were the drugs hidden in the cargo
15 trucks?

16 A Yes, they were in boxes that contained plastic forks,
17 plastic spoons, plates and glasses.

18 Q About what quantity were these shipments?

19 A Yes, approximately between 300 to 600 or even more kilos.

20 Q Do you know to whom the drugs being shipped on this route
21 belonged?

22 A Yes.

23 Q How do you know that?

24 A Because Flaco Quirarte told me.

25 Q What did Flaco Quirarte tell you?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A That those drugs belonged to Mayo Zambada and Amado
2 Carrillo and Flaco Quirarte.

3 Q So showing you Government's Exhibit 2A in evidence. Do
4 you recognize this person?

5 A Yes.

6 Q Who is that?

7 A Mayo Zambada.

8 Q Did you have an understanding of the relationship between
9 Mayo Zambada and the defendant during this time period?

10 A Yes.

11 Q What was that understanding based upon?

12 A In that Alfredo Vasquez had told me.

13 Q We'll talk about Alfredo Vasquez in a couple of minutes,
14 but in general who was he?

15 A Alfredo Vasquez was a drug trafficker who worked for
16 Chapo Guzman. He was also Chapo Guzman's Compadre.

17 Q What, if any, role did he have within the cartel?

18 A He was the person who transported the drugs to the United
19 States.

20 Q Did you engage in drug trafficking with Alfredo Vasquez?

21 A Yes.

22 Q What did Alfredo Vasquez tell you about the relationship
23 between the defendant and Mayo Zambada in the 1990s.

24 A That they were partners in the drug business.

25 Q Approximately when was this conversation with Alfredo

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTI

1 Vasquez?

2 A That was approximately in the year of '96 or '97.

3 Q Now after these drug shipments from Flaco Quirarte to
4 Chicago, what happened next?

5 A After those shipments, the way in which the drugs were
6 transported to the United States changed.

7 Q How did it change?

8 A Now the transportation was by train.

9 Q About what year did that change occur?

10 A Approximately in the year of '97.

11 Q Beginning in 1997 who was in charge of that train route?

12 A Alfredo Vasquez.

13 Q I'm going to show you what is in evidence as Government's
14 Exhibit 97B, do you recognize this person?

15 A Yes.

16 Q Who is that?

17 A Alfredo Vasquez.

18 Q How does this photograph compare to Alfredo Vasquez at
19 the time that you knew him?

20 A Very different. He looks much younger there.

21 Q When did you first meet Alfredo Vasquez?

22 A Approximately the year of '94 or '95.

23 Q Where did you meet him, what city?

24 A In Guadalajara Jalisco, Mexico.

25 Q How did you meet him?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Through his brother, Tono, El Loco.

2 Q Were you interested in meeting Alfredo Vasquez at this
3 time?

4 A Yes.

5 Q Why?

6 A Because, well, I wanted to meet Alfredo Vasquez because I
7 wanted to get to Chapo Guzman through him.

8 Q What do you mean by that?

9 A Well, I wanted to -- well, since he worked for Chapo
10 Guzman, meaning Alfredo Vasquez, and since they were compadres
11 I wanted to work with Chapo Guzman through him.

12 Q After you met Alfredo Vasquez, how did your relationship
13 progress with him over the next couple of years?

14 A It was good, we had a good relationship.

15 Q During the first couple of years that you knew him, how
16 often did you speak with him?

17 A Well, we spoke frequently, sometimes three times a week,
18 sometimes one time a week.

19 Q Typically where were you speaking to him?

20 A Well, we would go out drinking to restaurants or dance
21 places or even at the Pelenque.

22 Q In general, what did you speak about?

23 A Well, we spoke about drug-related things. We spoke about
24 our bosses.

25 Q When you say we spoke about our bosses, who are you

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 referring to?

2 A Well, he referred to Chapo Guzman; and I referred to
3 Flaco Quirarte.

4 Q From your perspective, what was the purpose of the
5 conversations?

6 A Well, like I said, I wanted to work for Chapo Guzman, and
7 I wanted for Alfredo to trust me.

8 Q What is your understanding of what it meant that the
9 defendant was a Compadre of Alfredo Vasquez?

10 A Well, Alfredo Vasquez told me that Chapo Guzman was --

11 MR. PURPURA: Objection, your Honor. 801(d)(2)(E)
12 at this point.

13 THE COURT: Overruled.

14 MR. ROBOTTI: You can continue.

15 A -- of Alfredo Vasquez's son.

16 Q Since that got cut off I'll reask the question.

17 What was your understanding of what it meant that
18 Alfredo Vasquez was compadres with the defendant?

19 A Yes, Alfredo Vasquez told me that Chapo Guzman was the
20 godfather of Alfredo Vasquez's son.

21 Q At the time you were speaking with Vasquez, did you know
22 where the defendant was living?

23 A Yes.

24 Q How did you know that?

25 A Because Alfredo Vasquez told me.

SIDE BAR CONFERENCE

1 Q What did he tell you?

2 A Well, he told me that his Compadre, Chapo Guzman, was in
3 jail.

4 Q Did Vasquez speak to you about the methods he used to
5 transport drugs into the United States for the defendant?

6 A Yes.

7 Q In general what were the different ways that Vasquez told
8 you about?

9 MR. PURPURA: Objection.

10 THE COURT: Need a sidebar?

11 MR. PURPURA: Sure.

12 (Continued on the next page.)

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SIDEBAR CONFERENCE

1 MR. PURPURA: I don't believe there is a basis for
2 the statement coming in under 801(d) (2) (E) at this point.
3 They are not working together. They are not co-conspirators
4 statements. If anything he's soliciting to try to get a job,
5 eventually, if you believe him, to let Mr. Guzman into his
6 group. It's not in furtherance of the conspiracy whatsoever.

7 MR. ROBOTTI: Judge, I think if he's being solicited
8 to get a job in the cartel, as Mr. Purpura just said, those
9 statements are in furtherance of the conspiracy. These
10 statements are forming the foundation of trust between two
11 co-conspirators as they build their relationship and begin
12 working together in the cartel.

13 THE COURT: That's what I thought.

14 MR. ROBOTTI: I can cite to Maldonado Rivera Second
15 Circuit case 1990. Statements are in furtherance of the
16 conspiracy if they provide reassurance or seek to induce a
17 co-conspirator's assistance or serve to foster trust and
18 cohesiveness, or inform each other as to the progress or
19 status of the conspiracy.

20 I believe here I've laid a proper foundation for all
21 of these to come in.

22 MR. PURPURA: What I suggest is that he, that this
23 witness, is the one of that solicited the information from
24 Mr. Vasquez. Therefore, it's not in furtherance of the
25 conspiracy, whatsoever.

SIDEBAR CONFERENCE

1 THE COURT: Why is Vasquez telling him?

2 MR. PURPURA: It may be an issue of interest.

3 THE COURT: I was going to go there next.

4 MR. PURPURA: If he was a defendant and this case
5 against him, I am deprived of the Confrontation Clause to
6 confront him about these particular statements because Vasquez
7 is not here, he's in prison in the United States. That's the
8 issue, it's a Crawford issue.

9 THE COURT: Now I've got two objections. I've got
10 the 801(d)(2)(E) and Crawford.

11 MR. ROBOTTI: Your Honor, with respect to the
12 Crawford issue, my understanding is that as long as they fall
13 within the co-conspirator exception here, which they do, there
14 is no Crawford issue. I think that these statements, I laid
15 the proper foundation for. Both of these individuals during
16 this time period are speaking with each other to develop a
17 relationship of trust so that they can engage in future drug
18 trafficking. That falls squarely within the Second Circuit
19 precedent saying that these are in furtherance of the
20 conspiracy. I think that these are clear under Maldonado
21 Rivera that they are inducing.

22 THE COURT: I got your point.

23 MR. PURPURA: They are not admitted against Vasquez,
24 they are admitted against Guzman. That's the difference. I
25 bet in Maldonado it was being admitted against one of the

SIDEBAR CONFERENCE

1 defendants who was speaking at that point.

2 MR. ROBOTTI: A co-conspirator statements are
3 admissible against the co-conspirator.

4 MR. PURPURA: It's not co-conspirator, is what I'm
5 saying.

6 THE COURT: I understand your point. I do think
7 that they are forming their relationship and they are telling
8 each other things that they are doing illegally in order to
9 further that relationship. I think that's 801(d)(2)(E).

10 I'll overrule the objection.

11 MR. PURPURA: May I have and continued objection?

12 THE COURT: Yes, sure.

13 (End of sidebar conference.)

14 (Continued on the next page.)

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TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 (In open court.)

2 BY MR. ROBOTTI::

3 Q Before we broke, I asked you if Vasquez told you about
4 the different ways that he transported drugs for the
5 defendant.

6 A Yes.

7 Q In general, what were the different ways that he told you
8 about?

9 A Well, he told me that they transported in pepper cans, by
10 train, via a tunnel they had in Tijuana.

11 Q Let's walk through each of those methods. What did
12 Vasquez tell you about the chili cans in general?

13 A Well, Vasquez told me that they put the kilos of cocaine
14 inside cans that had peppers and vinegar.

15 Q It what was Vasquez's role in this chili can route?

16 A He was the one who organized, who organized those
17 shipments.

18 Q For whom, if anyone, was he working while doing this?

19 A For Chapo Guzman.

20 Q What did he tell you about the packaging process for the
21 chili cans?

22 A Yes, he told me that they would put the kilo of cocaine
23 inside a vacuum-sealed bag. Then they would put it inside a
24 can and they would pour vinegar on top. Then they would seal
25 it with a machine that they had. And that they would then

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 place the logo with the brand from the company, La Costena.

2 Q How is that brand used in this route?

3 A Well, it was to make it to seem like the shipment was
4 from that company, from La Costena.

5 Q You mentioned that there was vinegar inside the chili
6 cans, was there anything else?

7 A Yes. Sometimes they placed sand in there to make it seem
8 like it was liquid.

9 Q What was the purpose of the vinegar or the sand?

10 A It was because if they were stopped at a check point and
11 they were searched, they could see that the can contained the
12 weight it said on the outside.

13 Q What, if anything, did they use to package the drugs?

14 A Yes, they use the vacuum-sealed bags. And they used a
15 machine with which they sealed the can.

16 Q Where were these chili cans packaged?

17 A In Guadalajara Jalisco, Mexico.

18 Q How did they transport the chili cans from there?

19 A By cargo truck.

20 Q Where did they go?

21 A From Guadalajara Jalisco to Tijuana, Baja California,
22 Mexico.

23 Q Where did they go from there?

24 A To the United States.

25 (Continued on next page.)

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 DIRECT EXAMINATION (Continued)

2 BY MR. ROBOTTI::

3 Q Now, according to Vasquez, during approximately what time
4 period did he and the defendant use this route?

5 A He told me in the '90s. I'm sorry, in the year 1990.

6 1990. He didn't specify how many years, but he said they used
7 it for a while.

8 Q Are you familiar with the Raul Guzman, Sr.?

9 A Yes.

10 Q How so?

11 A Well, Raul Guzman was the other person who worked with
12 Alfredo Vasquez.

13 Q How do you know that?

14 A Through Raul Vasquez, he told me.

15 Q And what, if any, role does he have in the -- what, if
16 any, role did he have in the chili tankers?

17 A Yes, he was the other person in charge. Everything was
18 done in Raul Guzman's warehouses.

19 Q Did Raul Guzman, Sr. have a son?

20 A Yes.

21 Q What was his name?

22 A Same name, Raul Guzman, Jr.

23 Q What, if any, significant event occurred in respect to
24 the chili tankers?

25 A There was a five-ton seizure.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTE

1 Q How do you know that?

2 A Alfredo Vasquez told me.

3 Q Where was that seizure?

4 A In Tecate, Baja California.

5 Q And after that seizure, what happened with respect to the
6 tankers?

7 A Well, he told me they stopped using that method.

8 Q Now, you also mentioned that Vasquez told you about a
9 tunnel. What tunnel?

10 A Yes. Yes, it was a tunnel in Tijuana and let out in San
11 Diego, California.

12 Q And what was the purpose of the tunnel?

13 A Yes, he told me that it was -- the difficulty crossing
14 drugs into the United States through the checkpoints, so they
15 would use the tunnel.

16 Q And whose tunnel was it?

17 A Chapo Guzman.

18 Q And do you know what happened to this tunnel?

19 A I don't know.

20 Q You mentioned that Vasquez also told you about a previous
21 train route.

22 What did he say about that?

23 A Yes. Vasquez told me that they had used a train route
24 that went from Guadalajara, Jalisco to Mexicali, Baja
25 California.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And who was involved in that train route?

2 A Alfredo Vasquez and the owner was Chapo Guzman.

3 Q And approximately when did Vasquez say that he and the
4 defendant used this train route?

5 A He mentioned in 1988 or something like that to me.

6 Q And do you know what the -- do you know what type of
7 drugs were transported over this train route?

8 A Yes.

9 Q And it what was that?

10 A Cocaine and marijuana.

11 Q And do you know what the drugs were in?

12 A Inside in a tanker car.

13 Q Now, earlier you mentioned Raul Guzman, Sr.

14 Do you recall any notable events related to him?

15 A Yes.

16 Q And what happened to him?

17 MR. PURPURA: Objection.

18 THE COURT: Sustained.

19 Q How do you know what happened to Raul Guzman, Sr.?

20 A Yes. Through Alfredo Vasquez.

21 Q And what did Alfredo Vasquez tell you about Raul Guzman,
22 Sr.?

23 A That he was killed.

24 Q And did Alfredo Vasquez tell you about the events leading
25 up to his death?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q And what did he tell you?

3 MR. PURPURA: Objection. Continued.

4 THE COURT: I think we're get a bit far.

5 MR. ROBOTTI: May we approach, Your Honor?

6 THE COURT: Okay.

7 (Continued on the next page.)

8 (Sidebar conference.)

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SIDEBAR CONFERENCE

1 (The following occurred at sidebar.)

2 MR. ROBOTTI: Judge, this is the last event that
3 we're going through in these statements here.

4 Look, at this time period, the witness is being
5 recruited to join the Sinaloa Cartel. Alfredo Vasquez and the
6 witness are having lengthy conversations about the history of
7 the organization.

8 And a large scale criminal organization like that,
9 knowing the history of the organization is essential to
10 forming a basis of trust in becoming a future member of the
11 organization. They have to tell you about this in order to be
12 sure that they can trust you.

13 THE COURT: Okay, that's the theory upon which I
14 have let it go so far. But I just think this last question,
15 at least it's really not part of the creation of the
16 relationship, as I can tell, as far as I can tell.

17 Why does that answer, which I think I know what he's
18 going to say, why does that further the relationship that
19 Vasquez is trying to create by giving him all this
20 information?

21 MR. ROBOTTI: Your Honor, I would say that this is
22 perhaps the most important conversation between them. Because
23 at this point you have conversations about drug trafficking,
24 and now he is taking it to the next step and he is going to
25 tell him about assassinations that occurred as part of this

SIDEBAR CONFERENCE

1 organization making sure that this witness is willing to get
2 involved in this type of organization.

3 I think it shows the deepest level of trust of all
4 of those conversations here higher, and that's why I would say
5 it's in furtherance of the conspiracy. And there are a number
6 of Second Circuit case laws, which I have some of that over at
7 the podium, where the Second Circuit has upheld coconspirators
8 discussing murders by other members of the conspiracy.

9 THE COURT: Right, but we're in the formative stages
10 here.

11 MR. ROBOTTI: That's correct, Your Honor.

12 THE COURT: And I think that gets in a lot, but it's
13 to form a conspiracy to import drugs, it's not to form a
14 conspiracy to murder people.

15 MR. ROBOTTI: It's also, Your Honor, delineating who
16 the enemies are from the organization, which is an important
17 thing to know if you're going to be a member of this
18 organization.

19 You have to know it's the Sinaloa Cartel against the
20 Tijuana Cartel in order to make sure you can keep yourself
21 safe and you know who engage in the drug trafficking and
22 who not to.

23 The primary means of method of this organization, as
24 charged by the government, is violence. And in order to
25 become a member of this organization, you have to know that

SIDEBAR CONFERENCE

1 violence is involved.

2 THE COURT: You know, if you were asking if you were
3 trying to commit acts of violence, I can see it, but to say
4 historically we've done this, especially since I think it is
5 pretty well known that they had done this, I don't really see
6 it as Vasquez interviewing him and saying -- if he said to the
7 witness -- if Vasquez said to the witness are you willing to
8 do this to be become part of our conspiracy, then I could see
9 it. But other than that, it could be so many other -- it
10 could be boastfulness, it could be -- I'm going to sustain the
11 objection.

12 MR. ROBOTTI: Just one further point, Your Honor.
13 While a number of these things about this event are publicly
14 widely known, the specific fact that are told from Vasquez to
15 this witness about Raul Guzman's involvement, the fact that
16 his truck had identifying marks on it, the fact he was later
17 killed in retaliation for the attack at Christine's, those
18 things are not necessarily publicly known. And I think the
19 fact that he is conveying those to the witness shows the level
20 of trust that they have for the organization.

21 THE COURT: I think it's too far from in the central
22 goal of the conspiracy. It is conceivably a means and method,
23 but it is not what he is being hired for so it's not in enough
24 furtherance. I'm going to sustain the objection.

25 MR. ROBOTTI: Okay.

SIDE BAR CONFERENCE

1 (End of sidebar conference.)

2 (Continued on the next page.)

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SANCHEZ - DIRECT - MR. ROBOTTI

1 (In open court; Jury present.)

2 BY MR. ROBOTTI::

3 Q Now are you familiar with someone known as Pollo?

4 A Yes.

5 Q And who is that?

6 A Chapo Guzman's brother.

7 Q And how do you know about him?

8 A Through Alfredo Vasquez.

9 Q And what did Alfredo Vasquez tell you about Arturo
10 Guzman?

11 A He told me he managed Chapo Guzman's drugs. And Chapo --

12 MR. PURPURA: Objection. Continuing.

13 THE COURT: I know you're continuing, so I'll
14 overrule.

15 A -- and Chapo Guzman was not happy with the way he was
16 doing it.

17 Q And why did you understand that to mean?

18 A Because he wasn't doing it well.

19 Q And was there a plan to remediate the situation?

20 A Yes.

21 Q What was that?

22 A He was going to have Mayo Zambada manage the drugs, Chapo
23 Guzman that is.

24 Q So Chapo Guzman was going to have Mayo Zambada manage the
25 drugs?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q And about when was this conversation with Vasquez?

3 A Approximately in 1996, '97.

4 Q And what was Vasquez's reaction to this plan?

5 A He became happy.

6 Q And why?

7 A Because he was going to receive money.

8 Q Now at the time of this conversation, you mentioned the
9 defendant was in jail; is that right?

10 A Yes, that's correct.

11 Q So how did Vasquez communicate with the defendant,
12 despite him being in jail?

13 A He would go visit him, and through his attorneys.

14 Q And what do you mean "through his attorneys"?

15 A Chapo Guzman would send Alfredo Vasquez messages, and
16 Alfredo Vasquez would return them to Chapo Guzman.

17 Q And do you know whether Mayo Zambada, in fact, started
18 managing the defendant's drugs shipments?

19 A Yes.

20 Q How do you know that?

21 A Through Alfredo Vasquez.

22 Q And what did he tell you?

23 A Well, he said he was going to be receiving a million
24 dollars soon from Chapo Guzman through Mayo Zambada.

25 Q And about when did Vasquez tell you that?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A During that same time period, the years of 1996, '97.

2 Q Now, have you ever been to a cock fight?

3 A Yes.

4 Q When?

5 A Many times.

6 Q What's a cock fight?

7 A A cock fight is when you strap a blade to the leg of two
8 cocks and you put them to fight each other until one of them
9 dies.

10 Q And what's the purpose of those fights?

11 A To bet money.

12 Q Are those legal or illegal?

13 A It's legal.

14 Q Where did you go to cock fights in Mexico?

15 A Many parts in the Mexican republic. In Guadalajara.
16 Leon, Guanajuato. Monterey. Aguas Calientes. Texcoco in the
17 State of Mexico. And many other places.

18 Q And you mentioned earlier that you went with Vasquez on
19 some occasions; is that right?

20 A Yes.

21 Q Did you ever see anyone else who worked in the cartel at
22 cock fights?

23 A Yes.

24 Q And who was that?

25 A Miguel Angel, El Gordo.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And so the name is Miguel Angel, and the alias is
2 El Gordo?

3 A Miguel, yes. Alias El Gordo.

4 Q Now at this cock fight, did you actually speak with
5 Miguel Angel or did Vasquez just point him out?

6 A No, he only pointed him out.

7 Q And about when was this cock fight when you saw him?

8 A Approximately in 1996, beginning of '97.

9 Q And what, if anything, did Vasquez say about Miguel
10 Angel, alias El Gordo?

11 A Yes, he told me that Miguel, El Gordo, worked for Chapo
12 Guzman bringing down airplanes that were loaded with cocaine
13 from Columbia in the area near Celaya Guanajuato Mexico.

14 Q And what did you understand to mean "bringing down
15 planes" filled with cocaine?

16 A They would arrive in clandestine air strips.

17 Q Now, had you ever met Miguel Angel before that cock
18 fight?

19 A No.

20 Q And did you ever see him again?

21 A No.

22 Q Now, I'd like to direct your attention back to 1997.

23 You mentioned that Vasquez began running the train
24 route; is that right?

25 A That's right.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And did you have any involvement in Vasquez's train
2 route?

3 A Yes.

4 Q And what was your involvement?

5 A I distributed the drugs in Chicago.

6 Q And for how long was that train route in operation?

7 A Approximately two years.

8 Q Which years?

9 A Approximately '97 to '98.

10 Q And what types of drugs did Vasquez transport over this
11 train route?

12 A Cocaine.

13 Q Were you physically in Chicago receiving these shipments?

14 A No.

15 Q And who was receiving in Chicago?

16 A My workers.

17 Q And did you speak to your workers about those shipments?

18 A Yes.

19 Q I'd like to show you what's in evidence as Government
20 Exhibit 502.

21 (Exhibit published.)

22 Q Where did those train shipments begin?

23 A Mexico City.

24 Q And where did they cross the border?

25 A Through Nuevo Laredo.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And is Texas just across the border?

2 A Yes.

3 Q And from there where did the shipments go?

4 A To Chicago.

5 Q Now, to your knowledge with whom, if any, did Vasquez
6 speak with before he started this train route?

7 A With his boss, Chapo Guzman.

8 Q How do you know that?

9 A Because Alfredo Vasquez told me.

10 Q What did he tell you about that conversation?Alfredo
11 Vasquez

12 A Well, he told me that he had asked his compadre, Chapo
13 Guzman, for permission to use that route.

14 Q And what was your understanding of why Vasquez asked the
15 defendant's permission to open this route?

16 A Because he had come up with that means of transportation.
17 He was the owner of that route.

18 Q And what did you understand that to mean that he was "the
19 owner of the route"?

20 A Well, he came up with that route, with that means of
21 transportation.

22 Q And who is "he"?

23 A Chapo Guzman.

24 Q Now, to your knowledge, did Vasquez speak with anyone
25 else after the defendant?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q With whom?

3 A With Flaco Quirarte and with Alvarez Tostado.

4 Q And who is Alvarez Tostado?

5 A Alvarez Tostado is my compadre, a drug trafficker.

6 Q And during this time period with whom did he work?

7 A For the Juarez cartel.

8 Q And so showing you what is marked for identification as
9 Government Exhibit 22.

10 Do you recognize this person?

11 A He looks like -- he look likes Alvarez Tostado, but I'm
12 not sure.

13 Q Okay. So what did Vasquez tell you about his
14 conversation with Flaco Quirarte?

15 A Well, he told me that Chapo Guzman had already authorized
16 him to use the train route. And that he was ready to bring
17 the drugs to Chicago.

18 Q And what was your understanding of why Vasquez spoke with
19 Flaco Quirarte about this?

20 A Well, because Flaco Quirarte had an interest in the
21 drugs. And he was the person who worked for Amado Carrillo.

22 Q Now, who sent drugs to the United States via train that
23 Vasquez ran?

24 A Amado Carrillo. Mayo Zambada. And Flaco Quirarte.

25 Q Now, the defendant was in jail at this time, right?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q And was the defendant represented in any way in these
3 shipments?

4 A Yes. Because of Mayo Zambada.

5 Q And how do you know that?

6 A Through Alfredo Vasquez.

7 Q And what does it mean Mayo represented the defendant in
8 these shipments?

9 A Well, he was the one who managed the drugs that went to
10 the United States. He sold them in the United States. And he
11 would bring the money back to Mexico for Chapo Guzman.

12 MR. ROBOTTI: I'd like to show you what's in
13 evidence as Government Exhibit 216-32.

14 (Exhibit published.)

15 Q Do you recognize this?

16 A Yes.

17 Q And what's this?

18 A That's a tanker car that I used to use.

19 Q And was this type of tanker car also used in Vasquez's
20 route?

21 A Yes.

22 Q To your knowledge, approximately how many shipments of
23 cocaine did the cartel transport to the United States using
24 the train route that Vasquez ran?

25 A Between eight to ten shipments or more.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q About how much cocaine was in each shipment?

2 A Yes. Between 1200, 1500 or 1800 kilos.

3 Q Where did all these shipments go?

4 A To Chicago.

5 Q About how much money was a kilogram of cocaine worth in
6 Chicago at this time?

7 A Yes. Between 15,000 to \$20,000.

8 Q So about how much was each train shipment worth in
9 Chicago?

10 A The cost was around \$30 million.

11 Q Whose money is that?

12 A That money was Chapo Guzman's. Mayo Zambada. Amado
13 Carrillo. And Flaco Quirarte's.

14 Q What, if anything, did you get from the distribution in
15 Chicago?

16 A Yes, they would give me about a hundred to 200 kilos for
17 me to sell.

18 Q And where did you sell that?

19 A In Chicago.

20 Q About how much profit did you get from each shipment?

21 A Between 200 to \$300,000.

22 Q Now at some point did Vasquez cease managing this train
23 route?

24 A Yes.

25 Q And approximately when was that?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes, approximately towards the end of '98.

2 Q Why did he stop managing the train route?

3 A Because he felt that he was also being observed by the
4 police.

5 (Exhibit published.)

6 Q Now, getting back to Government Exhibit 9, whom you
7 identified as Amado Carrillo.

8 What, if anything, notable with respect to Amado
9 Carrillo about this time?

10 A He died.

11 Q And how did you learn about that?

12 A Through Flaco Quirarte.

13 Q And about what year did this occur?

14 A Between '97 and '98.

15 Q And can you briefly tell us what Flaco Quirarte told you
16 about the circumstances of Amado Carrillo's death?

17 A Yes. Well, he told me, meaning Flaco Quirarte, he said
18 that his compadre, Amado, had died. That he was actually
19 undergoing surgery to change his face.

20 Q And he died during surgery?

21 A Yes.

22 (Exhibit published.)

23 Q Now, I'd like to go back at Government Exhibit 83, who
24 have you'd identified as Flaco Quirarte.

25 Following Amado Carrillo defendant what, if

SANCHEZ - DIRECT - MR. ROBOTTI

1 anything, unusual happened with respect to Flaco Quirarte?

2 A Yes. He shot himself in the head.

3 Q And how do you know about this?

4 A I -- because -- well, I know that through Alvarez Tostado
5 because I saw him, personally saw him.

6 Q You personally saw Flaco Quirarte?

7 A Yes.

8 Q And about when did Flaco Quirarte shoot himself?

9 A Yes, approximately between '98 -- yeah, around that time,
10 '98, '99.

11 Q And can you briefly describe these events leading up to
12 Flaco Quirarte shooting himself?

13 A Yes. Sure. He was drunk and he was high, and a patrol
14 car detained him. He didn't stop. He fled instead. He
15 called Alvarez Tostado and he told him comadre, I'm going to
16 let them catch me and then kill myself.

17 Q Now, did Flaco Quirarte survive this gunshot wound to the
18 head?

19 A Yes.

20 Q And were there lasting effects on him?

21 A Yes.

22 Q And what were those lasting effects?

23 A He lost his memory.

24 Q Did he continue working with the cartel after that?

25 A No. Not any more.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q Now, after Vasquez stopped managing the train route, for
2 how long did it stay closed?

3 A Approximately months or about a year.

4 Q And during what year was it closed?

5 A Approximately in the year of '99.

6 Q And at some point did it reopen?

7 A Yes.

8 Q And who was in charge of the route when it reopened?

9 A I was.

10 Q All right. So before we get to the train route that you
11 ran, I'd like to talk about the cartel, how the cartel changed
12 after Amado Carrillo died and Flaco Quirarte was shot.

13 Now, earlier you stated that you were a member of
14 both the Sinaloa and Juarez cartels; is that correct?

15 A That's correct.

16 Q And can you describe the relationship between the two
17 cartels while you were a member in a little bit more detail?

18 A Yes. They had a partnership in drug trafficking.

19 Q And what did it mean they had a partnership in drug
20 trafficking?

21 A That they he trafficked drugs together and they brought
22 the drugs to the United States.

23 Q And, in general, how did they help each other?

24 A Well, they helped each other in the sense that they would
25 recommend to each other places that they controlled along the

SANCHEZ - DIRECT - MR. ROBOTTI

1 coast line in Mexico.

2 Also with of the transportation of the drugs to the
3 United States.

4 They did share also the places they controlled along
5 the borders. The border with the United States. And people.
6 The government. The Sicarios. They also supported each other
7 with the police, with the government.

8 Q And when you say sicarios helped you, what was the
9 purpose of that?

10 A Well, the purpose of the sicarios was to protect the
11 drugs, to make sure that no other cartel would steal them.
12 And also from the police.

13 Q Now, what was the advantage to helping each other out in
14 this way?

15 A To become -- well, to be the strongest cartel. And to be
16 on top of other cartels. And to generate more money from the
17 drug sale. To corrupt politicians. And to have more control
18 over the different police agencies. And to generate -- that's
19 how they generated more money.

20 Q You mentioned earlier you called this joint organization
21 "the cartel"; is that right?

22 A Yes.

23 Q Now during the time that Amado Carrillo was alive, did
24 you develop an understanding of his area of control in Mexico?

25 A Yes.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And how did you learn about that?

2 A Through Flaco Quirarte.

3 (Exhibit published.)

4 Q Turning back to Government Exhibit 502, which is in
5 evidence, where did Amado Carrillo control Mexico?

6 A Yes, here in Quintana Roo. Guadalajara Jalisco. Ciudad
7 Juarez Chihuahua.

8 Q Was Ciudad Juarez important?

9 A Yes.

10 Q Why?

11 A Because it was on the border with El Paso, Texas, and it
12 was a strategic point for the drugs to distribute to different
13 parts of the United States.

14 MR. ROBOTTI: I'd like to look at Government
15 Exhibit 10, which is in evidence.

16 (Exhibit published.)

17 Q Do you recognize this person?

18 A Yes.

19 Q Who is that?

20 A Vicente Carrillo.

21 Q And who is Vicente Carrillo?

22 A Well, Vicente Carrillo is a drug trafficker. He is Amado
23 Carrillo's brother.

24 Q And what was Vicente Carrillo's role while Amado Carrillo
25 was alive?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A He was the head of the Sicarios.

2 Q Where was he based?

3 A In Ciudad Juarez Chihuahua.

4 Q So after Amado dies and Flaco shoots himself, they are no
5 longer part of the cartel, right?

6 A Exactly.

7 Q So who are the leaders of the cartel after that?

8 A Yes. Chapo Guzman. Mayo Zambada. El Azul. Vicente
9 Carrillo. Nacho Coronel. And the Beltran Leyva brothers.

10 MR. ROBOTTI: I'd like to walk through the hierarchy
11 of the cartel on the board over there, but before we do that,
12 let me show you a few pictures.

13 All right. So looking at Government Exhibit 1A,
14 it's in evidence.

15 (Exhibit published.)

16 Q Do you recognize this person?

17 A Yes.

18 Q Who is that?

19 A Chapo Guzman.

20 (Exhibit published.)

21 Q And looking at Government Exhibit 6, which is in
22 evidence, do you recognize him?

23 A Yes.

24 Q Who is that?

25 A El Azul.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And do you know Azul's real name?

2 A Juan Jose Esparragoza.

3 (Exhibit published.)

4 Q And looking at Government Exhibit 7 in evidence, who is
5 that?

6 A Nacho Coronel.

7 Q And do you know Nacho Coronel's real name?

8 A Ignacio Coronel Villareal.

9 Q All right. So let's talk about the heirarchy of the
10 cartel after Amado's death.

11 So looking first at Government Exhibit 1A, who you
12 identified as the defendant, where would you place him in the
13 hierarchy?

14 A Right on the top.

15 Q All right. Looking next at Government Exhibit 2A, who
16 you've identified as Mayo Zambada, where would you place him?

17 A Right under Chapo Guzman.

18 (Continued on next page.)

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SANCHEZ - DIRECT - MR. ROBOTTI

1 BY MR. ROBOTTI (CONTINUED) :

2 Q Okay. So it would be about here?

3 A Yes.

4 Q Could you describe the relationship with Chapo Guzman?

5 A By "him," you're referring to Joaquin Guzman?

6 Q Yes. Could you describe about where Chapo Guzman --

7 MR. PURPURA: Objection. Objection to the placement
8 of the photograph at this point. It's demonstratively --

9 THE COURT: I got it. I got it. Let the witness
10 testify first then we will...

11 BY MR. ROBOTTI:

12 Q Could you describe a little more in detail where you
13 would Chapo Guzman in this hierarchy?

14 A Yes. Chapo Guzman right on the top, top. And
15 Mayo Zambada a little bit lower.

16 Q Okay. Would you place him down here or --

17 A No, no, no. No, no. Where it was.

18 Q (Indicating.)

19 A Yes, that's correct.

20 Q All right. And Government Exhibit 6, which you've
21 identified as El Azul, where would you place him?

22 A Well, I would place him under Chapo Guzman and
23 Mayo Zambada.

24 Q Okay. So you're saying underneath, would it go on the
25 same level or a level below?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A No, one level below.

2 Q Now, looking at Government Exhibit 10, who you've
3 identified as Vicente Carrillo, where would you place him?

4 A Under El Azul.

5 Q So the level below or --

6 A Yes, one level below El Azul.

7 Q And when you're -- next talking about Nacho Coronel.

8 Government Exhibit 7, where would you place him?

9 A At the same level as Vicente Carrillo.

10 Q All right. And you mentioned the Beltran-Leyva brothers.

11 What are their first names?

12 A Arturo Beltran and Hector Beltran.

13 Q And have you ever met Arturo and Hector Beltran?

14 A No.

15 Q And how are you familiar with their role in the cartel?

16 A Through El Conejo.

17 Q And who's Conejo?

18 A Conejo is a Colombian drug trafficker.

19 Q And what was his role with respect to the Sinaloa Cartel?

20 A He supplied them with drugs.

21 Q And did you work with Conejo?

22 A Yes.

23 Q And based on your conversations with Conejo, what is your
24 understanding of where the Beltran-Leyva brothers fell within
25 this hierarchy?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A At the same level as Nacho Coronel and Mayo -- no, I'm
2 sorry. I meant Vicente Carrillo.

3 Q Okay. So the same level as Vicente Carrillo and Nacho
4 Coronel?

5 A Yes, same level.

6 Q And what was Azul's role within the organization?

7 A Well, he's a mediator. When members of the cartel had a
8 conflict among each other and when there were conflicts with
9 other cartels, too.

10 Q So looking at this board here, is this an accurate
11 representation of the hierarchy of the cartel following the
12 death of Amado Carrillo and Flaco Carrillo?

13 A Yes.

14 Q All right. So we'll discuss this more in a few minutes.
15 But did you end up working for Vicente Carrillo?

16 A Yes.

17 Q And about when was that?

18 A Approximately in 1999.

19 Q And you previously testified that when Amado Carrillo was
20 alive, Vicente Carrillo was the head of the sicarios; is that
21 correct?

22 A Correct.

23 Q And after Amado's death, how if at all did Vicente
24 Carrillo's role change?

25 A Well, yes, it changed temporarily. He became the boss.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q The boss, he became the boss in what way?

2 A In Ciudad Juarez.

3 Q And what was the relationship between Mayo and Vicente
4 Carrillo?

5 A Good. Mayo Zambada is Vicente Carrillo's godfather.

6 Q And what did they call each other?

7 A Well, Vicente Carrillo called Mayo Zambada godfather,
8 Padrino. And Mayo Zambada called Vicente Carrillo, Ahijado,
9 godson.

10 Q And did Vicente Carrillo had other aliases?

11 A Yes.

12 Q And what's that?

13 A Viceroy.

14 Q And what is your understanding of the defendant's and
15 Mayo Zambada's relationship at this point in time following
16 Amado Carrillo death?

17 A Partners.

18 Q And how do you know that?

19 A Because Alfredo Vasquez told me and because Vicente
20 Carrillo, too.

21 Q And following Amado's death and Flaco shooting himself,
22 how has the relationship between the Juarez Cartel and Sinaloa
23 Cartel change, if at all?

24 A Yes, it became one, only one.

25 Q One and only one what?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A Only one cartel.

2 Q And so was the relationship stronger or less strong?

3 A Stronger.

4 Q All right. So looking back at Exhibit 502, and once the
5 cartel took the form that we have up on the board there, what
6 areas of Mexico did it control?

7 A Yes. Quintana Roo, Chiapas, Oaxaca, Guerrero,
8 Mexico City, Guadalajara, Colima, Durango, Torreon,
9 Ciudad Juarez, Chihuahua, Sonora.

10 Q And looking at the head-shot board that we have up there,
11 where were all these leaders from?

12 A They're from Sinaloa, except for Nacho Coronel.

13 MR. ROBOTTI: So, Judge, I'm about to turn to new
14 topic. I don't know if it would be a good time to break?

15 THE COURT: Okay.

16 We will take our morning break, ladies and
17 gentlemen. Please remember not to talk about the case among
18 yourselves. See you at 11:25.

19 (Jury exits the courtroom.)

20 (The following matters occurred outside the presence
21 of the jury.)

22 THE COURT: Okay. Fifteen minutes.

23 (Recess taken.)

24 THE COURTROOM DEPUTY: All rise.

25 THE COURT: Let's have the jury, please.

SANCHEZ - DIRECT - MR. ROBOTTI

1 MR. BALAREZO: Your Honor, briefly before they come
2 in, we'd like to preserve the pictures again in a certain way.
3 We're wondering if every time the Government uses the display
4 if we could have a standing, that either they'll provide the
5 image or we can --

6 THE COURT: I'll have to address that later.

7 MR. BALAREZO: Very well.

8 THE COURT: If possible, yes.

9 MR. BALAREZO: Thank you.

10 (Jury enters the courtroom.)

11 (Jury present.)

12 THE COURT: Be seated please. We'll continue.

13 MR. ROBOTTI: Thank you, Judge.

14 BY MR. ROBOTTI:

15 Q Mr. Martinez, so let's turn back to 1999, a couple year
16 after Amado died. So you mentioned the train route was closed
17 during 1999, right?

18 A Yes.

19 Q And how, if at all, did you ship drugs during that year?

20 A Yes, by the cargo trucks.

21 Q And what is any significant event occurred that year?

22 A Yes. In September 1999, there was 1,000 kilo seizure in
23 El Paso, Texas.

24 Q And to whom did those drugs belong?

25 A Vicente and Mayo Zambada.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q How do you know about the seizure?

2 A Probably because Sombrita told me.

3 Q And who is Sombrita?

4 A Well, Sombrita is a member of the Juarez Cartel, a drug
5 trafficker.

6 Q And do you know his real name?

7 A Ruben.

8 Q Do you have his last name?

9 A No.

10 Q And for whom, if anyone, did he work directly during this
11 time period?

12 A For Vicente Carrillo.

13 Q And where did he work?

14 A In the Ciudad Juarez, Chihuahua, Mexico.

15 Q Can you tell the jury how this seized shipment came
16 about?

17 A Yes. Well, Sombrita called me, and he asked me if I
18 could bring 1,000 kilos from El Paso, Texas to Chicago. I
19 said, yes, but I was going to get organized. There came a
20 time and there the time that I got organized with my people.
21 I told him I did not have a warehouse in El Paso, Texas, so he
22 gave me one. Well, Sombrita's people, they brought the drugs
23 to that warehouse, and by the time that the shipment was going
24 to out on to Chicago, I called my worker and he wasn't picking
25 up. And I told Sombrita I was worried because my worker

SANCHEZ - DIRECT - MR. ROBOTTI

1 wasn't answering my calls. And he told me that he was going
2 to send one of his workers to the warehouse to check and see
3 what was happening. And about an hour or two hours later, he
4 called me and he told me that the police had arrived to the
5 warehouse. And he told me that we had to meet in person. He
6 asked me if I knew what had happened, and I told him I did not
7 know anything. And he said, Well, I'm going to get in touch
8 with my boss, Vicente?

9 Q Let me ask you a couple of questions before we get to
10 that conversation. So the method of transport to the
11 warehouse in El Paso, what was that?

12 A Cargo trucks.

13 Q And what was the cover for this one?

14 A Shoes.

15 Q And where was the cocaine hidden?

16 A In between the box and the shoes of where covering it.

17 Q Now was anyone arrested, to your knowledge?

18 A Yes.

19 Q And who was that?

20 A My compadre, Rodrigo; his brother-in-law; and a guy with
21 the nickname of Cano; and I think also the driver.

22 Q Now, you mentioned you had a conversation with Sombrita
23 following this seizure. What did Sombrita tell you?

24 A Yes. He told me that he had to talk to his boss Vicente,
25 and he put me in touch with Vicente Carrillo.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And what happened during this conversation with Vicente
2 Carrillo?

3 A Well, we had talked. He asked me what had happened and I
4 told him I did not know. And he told me, Don't worry. Just
5 get ready for the next one.

6 Q All right. So I would like to turn to the train route
7 that you ran. During what year was this route in operation?

8 A Approximately from 2000 to 2003.

9 Q Now, just to be clear you testified about two earlier
10 trade routes; is that right?

11 A That's right.

12 Q And both of those were run by the defendant?

13 A Yes.

14 Q And could you remind the jury which two routes they were?

15 A Yes, of course. Well, the first one for Mexico was
16 Guadalajara, Jalisco, Mexico to the border, to
17 Baja California; actually Tecata, Baja California; Mexicali,
18 rather.

19 And the second one was from Mexico City to Chicago.

20 (Continued on the next page.)

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SANCHEZ - DIRECT - MR. ROBOTTI

1 BY MR. ROBOTTI::

2 Q The Guadalajara to Mexicali route was in operation during
3 what time period?

4 A In the '80s.

5 Q The Mexico City to Chicago route, that was in operation
6 during what time?

7 A Approximately '97, '98.

8 Q So the train route you ran operated later in time than
9 both of those?

10 A Yes.

11 Q What were your responsibilities while running the train
12 route from 2000 to 2003?

13 A My responsibility was to bring the drugs to the United
14 States, and for me to distribute them to whoever I was
15 instructed to distribute to.

16 Q Let's first start by talking about who else was involved
17 in this train route. Did you have any bosses while you were
18 running the train route?

19 A Bosses.

20 Q Who were your bosses while running this route?

21 A Chapo Guzman, Mayo Zambada, and Vicente Carrillo.

22 Q To whom did you report directly?

23 A With Vicente Carrillo.

24 Q How did you end up reporting directly to Vincent
25 Carrillo?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A By phone.

2 Q How did it come about that you started reporting directly
3 to Vincent Carrillo?

4 A Because Vincent Carrillo himself told me that I needed to
5 report back to him regarding all the drugs that I would
6 transport to the United States.

7 Q I'd like to talk about the hierarchy, specifically with
8 respect to this train route. Before we do that, let me show
9 you a couple of head shots which are in evidence. Looking at
10 Government's Exhibit 32, do you recognize this person?

11 A Yes.

12 Q Who is that?

13 A Juan Bugarin.

14 Q Looking at Government's Exhibit 57, do you recognize this
15 person?

16 A Yes.

17 Q Who is that?

18 A Jose Gudino.

19 Q Did Jose Gudino use any aliases?

20 A Yes.

21 Q What were those?

22 A Manuel Silva.

23 Q Let's take a quick trip back to our leader board. I'd
24 like to talk about the hierarchy for the train route.

25 You mentioned that it was Vincent Carrillo, the

SANCHEZ - DIRECT - MR. ROBOTTI

1 defendant, and Mayo Zambada who were your bosses in this train
2 route, right?

3 A Yes.

4 MR. BALAREZZO: Your Honor.

5 THE COURT: Sidebar.

6 (Continued on the next page.)

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SIDEBAR CONFERENCE

1 THE COURT: The problem is it's a dynamic
2 demonstrative. I have seen it used in many trials. The
3 Government always does it this way. I don't have a problem
4 taking a picture during the break. Other than that, as we
5 said before, note the position and draw your own chart and
6 then you can reconstruct it.

7 MR. PURPURA: What I did, Judge, at the break as
8 soon as we had a break, I spoke to Ms. Parlovecchio and
9 suggested the Government, if she would take a picture for us,
10 because we didn't want to have any cameras in the courtroom.
11 I don't even have my cellphone here. She said she would. I
12 assume she did.

13 MS. PARLOVECCHIO: I understood subsequent to that
14 we weren't allowed to do that without the Court's permission.
15 But we can rebuild it and take a photo.

16 THE COURT: Are you capable of putting it back the
17 way it was before you just assembled it?

18 MR. ROBOTTI: I can do that during the break.

19 THE COURT: I'm not crazy about the photo. I don't
20 know what is wrong with the suggestion doing it by hand,
21 that's what all the defense lawyers in my cases have done. I
22 don't have a problem of taking a photo during the break,
23 whether the Government or the defense, I don't care, as long
24 as it's during a break. Okay.

25 (End of sidebar conference.)

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 (In open court.)

2 BY MR. ROBOTTI::

3 Q Where would you put Vincent Carrillo in this hierarchy?

4 A Yes, under Mayo Zambada.

5 Q That would be on the row below Mayo Zambada?

6 A Exactly.

7 Q Looking at Government's Exhibit 97B, which you identified
8 as Alfredo Vasquez did, he have a role in the train route that
9 you ran?

10 A Yes.

11 Q What was that role?

12 A He was the supervisor. He wanted to make sure that I did
13 things right.

14 Q Where would you place him in this hierarchy?

15 A Under Chapo Guzman.

16 Q Same row as Chapo or the row below?

17 A The same row where Chapo Guzman is, under it.

18 Q Would here be, correct?

19 A Yes, correct.

20 Q Looking at Government's Exhibit 74A, which is your
21 photograph, where would you place yourself?

22 A Under and between both Vincent Carrillo and Alfredo
23 Vasquez.

24 Q So right here?

25 A Exactly.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q Next we have Government's Exhibit 57, which you've
2 identified as Jose Gudino Manuel Silva -- using the alias
3 Manuel Silva -- did he have a role in your train route?

4 A Yes.

5 Q Who was that?

6 A He was a person in charge of getting me the warehouses,
7 the houses, the apartments. And he would established the
8 companies here in the United States.

9 Q Where was he based while he was doing all that?

10 A Here in the United States.

11 Q Where would you place him in this hierarchy?

12 A Under my picture.

13 Q Could we put him here?

14 A Yes, yes.

15 Q Finally we have Government's Exhibit 32, who you've
16 identified as Juan Bugarin, did he have a role in this train
17 route?

18 A Yes.

19 Q What was his role?

20 A He opened the first company in Los Angeles, California.
21 He managed that warehouse that I had in Los Angeles,
22 California, and he was also in charge of purchasing the oil
23 that we would bring to Mexico.

24 Q Where would we place him in this hierarchy?

25 A Under me.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q Is it okay if we place him here?

2 A Yes.

3 Q Aside from Juan Bugarin and Jose Gudino, did you have
4 other workers in the United States?

5 A Yes.

6 Q Looking at this hierarchy here, is this an accurate
7 depiction of the hierarchy of the train route that you ran?

8 A Yes.

9 Q What was Vincent Carrillo's role in these train
10 shipments?

11 A The organizer to have the drugs brought to the United
12 States.

13 Q What was Mayo Zambada's role?

14 A Provide drugs from Colombia to Mexico.

15 Q What was the defendant's role with respect to the train
16 route?

17 A He came up with that method of transportation.

18 Q Did he have any other role?

19 A Yes, owner of the drugs.

20 Q How do you know that the defendant invented this train
21 route?

22 A Well, first of all Alfredo Vasquez told me, and then
23 Chapo Guzman himself told me.

24 Q We'll talk about that conversation in a minute with the
25 defendant.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Before we get there, what was the relationship
2 between Mayo and the defendant while you were running this
3 train route?

4 A They were drug partners.

5 Q How do you know that?

6 A Because Vincent Carrillo told me and Alfredo Vasquez told
7 me.

8 Q What did you understand that partnership to mean for any
9 particular shipment over this train route?

10 A Yes, to get the profits from the sale of the drugs in the
11 United States.

12 Q What do you mean by that?

13 A Well, to be owner of the drugs.

14 Q Who was permitted to send drugs over this train route?

15 A No one other than the members of the cartel. Only Mayo
16 Zambada, Vincent Carrillo, me, Alfredo Vasquez, and of course
17 Chapo Guzman.

18 Q Who decided who could send drugs over this train route?

19 A Chapo Guzman.

20 Q What, if anything, did you tell Vincent Carrillo about
21 the security of this transportation route?

22 A Yes. Vincent Carrillo told me not to worry because his
23 godfather, Mayo Zambada, controlled the warehouse in Mexico
24 City where my drugs were --

25 -- where the drugs were, interpreter correction.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q Did have you any conversations about the security of the
2 transportation method?

3 A Yes.

4 Q What was that?

5 A Well, I had that conversation with Vincent Carrillo. I
6 told him that that method of transportation was very safe.
7 That if a kilo of cocaine was lost along the shipment, I would
8 pay him for it at Mexico cost.

9 Q What was that?

10 A Between seven and \$8,000.

11 Q You mentioned that the defendant told that you he
12 invented this train route, let's talk about that conversation.

13 A Yes, of course.

14 Q At some point did you learn that the defendant was no
15 longer in jail?

16 A Yes.

17 Q About what year was that?

18 A Approximately the beginning of 2001.

19 Q How did you learn about that?

20 A Through Alfredo Vasquez.

21 Q What did he say to you?

22 A He was happy. He said his Compadre Chapo had escaped
23 from jail.

24 Q Following the defendant's escape from jail, did you meet
25 with him?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes.

2 Q How many times?

3 A Twice.

4 Q In what year did the first meeting occur?

5 A 2001, approximately mid-year.

6 Q By this point had you already been running the train
7 route?

8 A Yes.

9 Q For how long?

10 A A little bit more than a year.

11 Q How did this meeting with the defendant come about?

12 A Yes, Alfredo Vasquez called me. He told me he was going
13 to introduce me to a very important person. We agreed to meet
14 the following day in Mexico city. Well, we met at this place
15 called Sanborns, it's a cafe. We were already there and a man
16 arrived, one of Chapo Guzman's workers. They called him El
17 Pelon. We got into his vehicle. We headed towards the exit
18 towards, Toluca.

19 Before we exited the road, they switched cars on us
20 and they put us into a cargo van. They placed a hood on us.

21 Q When you say us, who did they place a hood on?

22 A Alfredo and me.

23 Q Who did that?

24 A Pelon.

25 Q What happened next?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTE

1 A They drove us for approximately ten minutes. We arrived
2 at a location in the mountains. They got us out of the van.
3 It was a cabin. We headed towards the second story.

4 Q Did you see other people there on the way in?

5 A Yes.

6 Q Who?

7 A Chapo Guzman's hit man.

8 THE COURT: Hang on one second.

9 Ladies and gentlemen, there is a Judge on this
10 court, an esteemed colleague, who has a practice when he's
11 trying his case he puts his head back and closes his eyes.
12 People think he's sleeping, but every time there is a
13 objection he's right there and responds to the objection.

14 I'm not sure if any of you have that ability, but
15 because I don't know I need you to keep your eyes open. You
16 don't have to be looking at the witness all the time, but I
17 need to make sure you're in fact awake. Stay with us here.

18 Thank you. Please continue.

19 BY MR. ROBOTTE::

20 Q What was the terrain of the house?

21 A It was mountainous, yes.

22 Q What happened when you got to the second floor with
23 Alfredo Vasquez?

24 A Yes, Chapo Guzman was there with a woman, I don't know
25 who she was. As we were going up the stairs, she left.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Chapo Guzman greeted Alfredo Vasquez he gave him a
2 hug. Alfredo Vasquez introduced me to Chapo Guzman, saying to
3 him, Compadre, look, he's the one in charge of the train
4 route. And Chapo Guzman says back to him, Compadre did you
5 already tell him that I was the inventor of that route? And
6 Alfredo Vasquez says back to him, yes, Compadre I already told
7 him that you're the inventor of that route.

8 Q What happened next in this conversation?

9 A Chapo Guzman asked me how many tanker cars I had.
10 Alfredo Vasquez jumps in to answer the question. And he says,
11 Compadre we have 30, 40, 60 cars. Referring to the train
12 cars.

13 Q Did you in fact have that many train cars at that time?

14 A No.

15 Q How many did you have?

16 A I had approximately six to eight tanker cars.

17 Q What is your understanding of why Vasquez exaggerated the
18 number of tanker cars?

19 A Well, because my understanding is that either Chapo
20 Guzman or Chapo Guzman's people had already told Alfredo
21 Vasquez that they were going to be transporting a large
22 quantity of drugs and he wanted him to be ready.

23 Q What was the defendant's reaction to Vasquez's statement
24 that he had that many cars?

25 A He said, okay, Compadre, good.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q What happened next?

2 A Well, sorry -- the conversation ended. We left. We were
3 put inside the same van. No, no, I'm sorry, sorry.

4 Yes, he said that I was going to hear from him soon,
5 that I was going to be transporting drugs. So okay we
6 finished up the conversation.

7 They took us back into the van. They placed the
8 hood on us again. And they took it off along the way. And
9 they took us to where we had left our vehicle.

10 Q All right. Let's talk about the total amount of drugs
11 sent over this train route. About how many shipments of drugs
12 did the cartel send over this train route to the United
13 States?

14 A Approximately 18 to 20 shipments or more.

15 Q To what cities?

16 A Los Angeles, California, Chicago, and New York.

17 Q About how many shipments went to New York?

18 A Approximately seven to eight shipments or more.

19 Q To Chicago?

20 A Nine or ten, approximately.

21 Q To Los Angeles?

22 A Three or four shipments.

23 Q What was the average amount of cocaine per shipment?

24 A On average of 1400 to 1700 kilos.

25 Q Was there a maximum amount of cocaine in the tanker cars?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Yes, approximately 2,000 kilos.

2 Q Why was there a maximum?

3 A Well, that maximum, well, that was enough drugs to bring
4 into the United States.

5 Q What was the smallest shipment of cocaine?

6 A Yes, 200 kilos.

7 Q About what quantity of cocaine in total did the cartel
8 ship to the United States using the train route that you ran?

9 A Somewhere between 30, 40, 50 tons.

10 Q During this time did you have an understanding of how
11 many individual doses were in a gram of cocaine?

12 A Well, yes, the dependent on what each person used.

13 Q What was the range?

14 A A range of eight to ten times abusing it.

15 Q So would that be about 8,000 to 10,000 doses per kilo of
16 cocaine?

17 A Yes.

18 Q About how much was 40 to 50 tons of cocaine worth?

19 A Approximately between 500 and \$800 million.

20 Q Who's money was that?

21 A Chapo Guzman's, Mayo Zambada's, Vincent Carrillo's.

22 Q About what percentage of that cocaine came to New York
23 City?

24 A Approximately 30 percent of it.

25 Q About how many tons are we talking about?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Somewhere between 15, 20 tons.

2 Q In general, how if at all did the train shipments change
3 after the defendant got out of jail?

4 A Yes, the amount of drugs increased.

5 Q During what year did you send the most drugs to the
6 United States?

7 A Yes, in 2002.

8 Q Let's talk about how you set up this train route back in
9 1999, 2000. Before you opened the route did you have a
10 conversation with anyone about it?

11 A Yes.

12 Q With whom?

13 A With Alfredo Vasquez.

14 Q Will you tell the jury about this initial conversation
15 with Vasquez about your train route?

16 A Yes, Alfredo Vasquez says to me, Mecanico, now it's your
17 turn to manage this transport.

18 Q What was your reaction to Vasquez's offer to manage this
19 transport?

20 A Happy, I was happy.

21 Q Why?

22 A Because I was going to make a lot of money.

23 Q What, if anything, did Vasquez give you at this time?

24 A He gave me a hundred thousand dollars for the expenses at
25 the warehouses.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q After you got this \$100,000 what did you do with it?

2 A Well, my task was then to establish companies in Mexico
3 and to find warehouses. And it was the same thing in Los
4 Angeles, California. I rented the tanker cars. And I
5 adopted, actually installed the spur, the train tracks, inside
6 the warehouses.

7 Q We talked a minute ago about Juan Bugarin in Government's
8 Exhibit 32, what was he doing for you during this time period.

9 A Yes, Juan Bugarin established the first company in Los
10 Angeles and he rented the tanker cars.

11 Q Government's Exhibit 57, over on the board, you
12 identified as Jose Gudino. What was he doing while you were
13 setting up the route?

14 A He rented the warehouses.

15 Q In what cities?

16 A In Los Angeles, California, Chicago, and New York.

17 Q You also mentioned that Jose Gudino used the alias Manuel
18 Silva, how do you know that?

19 A Because I had gotten him a Mexican passport.

20 Q In what name?

21 A Under the name of Manuel Silva.

22 Q For what purpose did you obtain that passport?

23 A Yes, so that he would establish the companies and so that
24 he would rent the warehouses under that name.

25 Q What type of companies are we talking about here?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Well, he established companies to purchase shoes, and to
2 purchase the edible oil.

3 Q When you're saying edible oil, what type of oil are you
4 talking about?

5 A It's an oil you can actually cook with and eat.

6 Q Now, what did these companies do with respect to the oil?

7 A Well, that oil that's also used for bread to make bread
8 and also to can vegetables, for example the chili peppers,
9 also for mayonnaise, ketchup and tuna.

10 Q From your perspective, what was the purpose of opening up
11 these companies?

12 A Well, that was to cover the drugs that we would be
13 bringing from Mexico to the United States.

14 Q How did these companies cover the drugs?

15 A Well, they seemed to be legal companies.

16 Q Do you recall some of the names for the companies used
17 for the train route in the United States?

18 A Yes, some of them.

19 Q How did you learn those names?

20 A Through Jose Gudino.

21 Q What names do you recall?

22 A I remember Las Cuatro Reinas, Azteca Leather.

23 Q Where were the first warehouses located?

24 Could I have the interpreter translate Cuatro
25 Reinas?

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 THE INTERPRETER: The Four Queens.

2 Q Where were the first warehouses located in this route?

3 A In Pomona, California, then in Chicago, Juliette, at the
4 outskirts of Chicago.

5 Q At some point did this route expand to another city?

6 A Yes.

7 Q So what city was that?

8 A It expanded to Chicago and New York.

9 Q After the route expanded to New York, did you continue
10 sending shipments to Los Angeles?

11 A No, I stopped that temporarily.

12 Q Did you purchase any of the warehouses in any of the
13 cities?

14 A Yes.

15 Q In which city?

16 A In Chicago.

17 Q About when did you send the first train shipments to the
18 United States?

19 A Yes, approximately the beginning of 2000.

20 Q What, if anything, did you put in the first few tanker
21 cars sent to the United States?

22 A No, no, the first ones I didn't put anything. They were
23 like a test.

24 Q What do you mean by that?

25 A Yes, well, it was for me to find out the time frames when

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 it came to oil exportation. And also for me to learn how
2 Customs worked.

3 Q What do you mean Customs?

4 A The Mexican Customs office, because we would be bringing
5 the oil into Mexico.

6 Q Let's talk a little about how the drugs were actually
7 hidden. Looking back at Government's Exhibit 216-32 in
8 evidence, you mentioned before this is the type of tanker car
9 you used, right?

10 A Yes.

11 Q Where within the tanker cars did you hide the drugs?

12 A Right at the ends, this right here.

13 Q Were they hidden?

14 A Yes.

15 Q How were they hidden?

16 A In a secret compartment, a double wall.

17 Q Who made these secret compartments?

18 A My workers and I.

19 Q Where did you make the secret compartments?

20 A Right at the warehouse in Mexico City.

21 Q In general how did the cocaine that you loaded into the
22 tanker cars get to your warehouse in Mexico City?

23 A Well, at times in cargo trucks like tanker trucks. And
24 another part of it that I would transport in the train itself
25 from the Cancun shoreline, to Merida, and from Merida to

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Mexico City.

2 Q On average how much cocaine did you have at this
3 warehouse at one time?

4 A You mean the top, like maximum?

5 Q Start with average.

6 A Yes, an average of 2,000 to 3,000 kilos.

7 Q What was the maximum?

8 A One time I had up to 17 tons.

9 Q Were you worried that these drugs would be seized by
10 Mexican law enforcement?

11 A No.

12 Q Why not?

13 A Because Mayo Zambada had paid off the authorities.

14 Q How do you know that?

15 A Through Vincent Carrillo, he told me.

16 Q You mentioned that you leased tanker cars, ultimately how
17 many tanker cars did you have at one time?

18 A Between ten to 12 tanker cars.

19 Q How did you get the tanker cars into the warehouse in
20 Mexico City?

21 A Yes, there was this train company that was in charge of
22 pulling the tanker cars. They had a machine. They would
23 introduce it inside the warehouse. And at times they would
24 leave it right there at the door of the warehouse. And we
25 would then have to push it in order to put it inside the

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1 warehouse.

2 Q Now once these tanker cars arrived at the warehouse, how
3 did you make the false walls?

4 A Yes, we built a metal ring and we would do it in
5 different steps. We would weld it from the inside of the
6 tanker car right starting at the edges, later on we would cut
7 sheets in the shape of an orange.

8 Q What do you mean by the shape of an orange?

9 A It was like the pieces of a puzzle, the pieces of a
10 puzzle. And we would then start welding these sheets like
11 around that ring. And then in between we would weld the metal
12 bar to the tanker car. There were bars rods that were
13 crossing over, where you could actually cut the sheets that
14 you were welding, and you were actually building as if it were
15 a puzzle.

16 (Continued on next page.)

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TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 DIRECT EXAMINATION (Continued)

2 BY MR. ROBOTTI::

3 Q Okay. And once you got it all welded into the car, what
4 did you do next?

5 A We would introduce the drugs. We would bring the drugs
6 in.

7 We would weld then the last two metal sheets that we
8 had left behind. We had left so that we would bring the
9 container in and then weld them in.

10 And then later on we used like a liquid seal, it was
11 like a paste, a steel paste, and you would cover all around
12 it.

13 When that paste dried out, it would become like
14 steel, very strong. And once that liquid steel would dry
15 completely, then we would finish off by painting it. So that
16 it would be identical to the other walls.

17 Q And did you put these walls in one or both ends of the
18 container?

19 A Both ends. Both ends.

20 Q Why did you put them at the ends of the tanker car?

21 A Well, because that's where Alfredo Vasquez told me to put
22 them. He said that it was easier to do so and to install the
23 secret compartment there.

24 Q So how did you learn how to make the walls?

25 A Well one of Alfredo Vasquez's workers taught us. That

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 was Pascual that he had been working for him for a long time.

2 Q And so how did this route compare to -- or how did these
3 compartments compare to the route that the Vasquez used
4 earlier?

5 A Well, they were identical.

6 Q Now, you mentioned that you hid the drugs behind these
7 walls.

8 Were they wrapped in any particular way?

9 A Yes.

10 Q How is that?

11 A They were inside a vacuum-sealed bag. Then we would put
12 some grease around him. Like, you know, mechanic's grease.
13 Then plastic. And then finally tape.

14 Q What was the point of the grease?

15 A Well, it was just in case of the dogs, of the American
16 authorities brought in the dogs. So that they couldn't smell
17 that.

18 Q Once a tanker car was loaded up with drugs, what did you
19 do with it?

20 A Well, we would call the company that would pull them,
21 that train company. And they would take it to the train yard.

22 Once they had enough train cars, they had enough for
23 the one trip, they would pull them all the way to the final
24 destination.

25 Q Now, was there anything else in the tanker car when you

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 sent it full of drugs?

2 A Yes. I added a minimum amount of about two-inches of
3 oil.

4 Q Why did you do that?

5 A Well, so that if Customs decided that they wanted to
6 search it, that they would then be hindered from doing so
7 because of the danger that the oil represented so that they
8 wouldn't trip.

9 Q You mentioned you primarily sent cocaine over this route.
10 What other drugs did you send?

11 A Marijuana. Once.

12 Q And how much marijuana?

13 A Between a hundred and 200 kilos.

14 Q So who made the travel arrangements for these tanker cars
15 going to the United States?

16 A Well, in Mexico it was me and one of my workers.

17 Q What was that worker's name?

18 A Leonardo Sanchez.

19 Q Now you mentioned that Alfredo Vasquez's trains crossed
20 at Nuevo Laredo. Where did yours cross the border?

21 A Right there at the same location, through Nuevo Laredo.

22 Q And what cartel controlled that area at the time?

23 A At that time it was the Gulf Cartel.

24 Q And did that matter to you?

25 A No.

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTE

1 Q Why not?

2 A Because the drugs were welded and we didn't need a
3 warehouse right there at the border.

4 Q And so did you ask permission to go through that
5 territory?

6 A No.

7 Q And did you know how the tanker cars were inspected at
8 the border?

9 A No. I don't know.

10 Q So let's talk about what happened when the drugs arrived
11 in New York City.

12 Now how did you distribute in New York from Mexico?

13 A I had my workers.

14 Q And how many workers did you have in New York at any
15 given time?

16 A Approximately six workers.

17 Q And when the drugs arrived in New York, in the New York
18 area, via train, in general, what happened next?

19 A Well, once they arrived to the warehouse we break up the
20 secret compartment in order to get the drugs out.

21 Q And so it arrived at a warehouse in the New York area?

22 A No, New Jersey.

23 Q And how did the workers break down the wall?

24 A Yes, they broke them, they broke the wall with large
25 sledgehammers.

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1 Q And did you do anything to the tanker cars after the
2 walls were broken down?

3 A Yes. The tanker cars were cleaned with a sander. You
4 would eliminate the welding spots all over. And then would
5 you repaint it.

6 Q And then what did you do with the cars after that?

7 A Well, they were washed and then we added more oil into
8 them.

9 Q And those would go back to the Mexico?

10 A To send them once again to Mexico.

11 Q All right. So going back to New York, can you walk us
12 through the distribution process here?

13 A Yes, of course.

14 Well, I had the warehouse where the train arrives,
15 and I had a warehouse in New York where the drugs were
16 distributed out of.

17 Q And so why did you have two different warehouses?

18 A Yes, because if a -- at any given time some of the people
19 the drugs were being delivered to were being followed by the
20 police, they wouldn't find out that the easily about the
21 drugs -- the warehouse where the drugs arrived at.

22 Q And why didn't you want the police to discover the
23 warehouse where the drugs arrived?

24 A Well, because then the transport would be done. We
25 wouldn't be able to transfer the drugs.

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1 Q Now how did you transport the drugs between the warehouse
2 where the train arrived and the warehouse from which you
3 distributed them?

4 A Yes, I transported it in a smaller cargo truck, with a
5 false wall at the end of the box, container box.

6 Q And so where were the drugs located within the car?

7 A At the end of the box.

8 Q Within the double wall?

9 A Yes.

10 Q And after transporting the drugs from the train warehouse
11 to the distribution warehouse, what happened next?

12 A Well, after that, it was distributed to the people I was
13 told to distribute it to. With other workers. Different
14 workers.

15 Q And what types of vehicles did you use to distribute
16 those drugs?

17 A I used cargo vans and pickup trucks.

18 Q How did you know to whom to distribute the drugs in New
19 York City?

20 A Well, Vicente Carrillo would give me the phone numbers.

21 Q In general, at what types of locations did these vans go
22 to -- vans and trucks go to to distribute the drugs?

23 A Well, yes, in general to restaurants, food places like
24 McDonald's, Burger King.

25 Q And how did the exchange work at those places?

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1 A Yes. We would call the people to whom we were going to
2 deliver the drugs and give them an appointment at a certain
3 restaurant. Inside at a table. We would tell them what the
4 car contained the drugs and we would hand them over the keys.

5 Q How did this method of distribution into New York compare
6 to the method in Chicago?

7 A Same.

8 Q Do you know the names of all the persons to whom your
9 workers distributed drugs in Chicago and New York?

10 A No. Not all.

11 Q Are you familiar with someone named Armando Corrales?

12 A Yes.

13 Q And who is that?

14 A Yes, he's a drug trafficker we gave drugs to.

15 Q And for whom did he work?

16 A For Vincente Carrillo.

17 Q And where did he work?

18 A In Chicago.

19 Q And how, if at all, was the drug distribution method
20 different in LA?

21 A Yes, it was different in Los Angeles. The drugs were
22 taken to a house, to an apartment. In a van. Or an SUV.

23 Q From the warehouse to a house or apartments?

24 A Yes. Yes, and from there, once it was at the house, it
25 was delivered to the person I had been given instructions to

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1 deliver it to.

2 Q Now, were all the tanker cars you sent to the United
3 States loaded with drugs?

4 A No, not all.

5 Q Why not?

6 A Well, because sometimes I didn't have any drugs to
7 transport.

8 Q And so why did you send tanker cars without drugs to the
9 United States?

10 A To make it seem like my company was a legal company,
11 where the cars were going back and forth.

12 Q Who was in charge of sending the tanker cars without
13 drugs from your warehouse in Mexico city?

14 A My worker, Leonardo Sanchez.

15 Q And how involved were you in those shipments that did not
16 carry drugs?

17 A Not in those tanker cars, nothing.

18 Q Why weren't you involved in the tanker shipments without
19 drugs?

20 A Because I didn't care about it. I didn't have to worry
21 about it.

22 Q Do you know exactly how many tanker car shipments without
23 drugs went to the United States?

24 A No. I don't know.

25 Q All right. So let's talk a little bit about the money

TIRSO MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 that was made from these shipments.

2 THE COURT: Do you want to break for lunch,
3 Mr. Robotti?

4 MR. ROBOTTI: Yes, it would be a great time.

5 THE COURT: Let's come back, ladies and gentlemen,
6 at 1:35.

7 Please don't talk about the case. See you shortly.

8 (Jury exits the courtroom.)

9 THE COURT: Mr. Robotti, what's your time?

10 MR. ROBOTTI: I think we'll be done this afternoon,
11 Your Honor.

12 THE COURT: Do what you can to pick it up.

13 I mean just by way of example, you're on the chart,
14 you marked the front and rear end, and then you asked him, 20
15 minutes later, what parts of the car did you use?

16 I mean there's a value of repetition in some areas
17 but I think there's a little too much -- a little more detail
18 than the jury really needs.

19 MR. ROBOTTI: Your Honor, we don't have any -- I
20 think this is actually -- it's actually moving faster, so I
21 expect to be done this afternoon.

22 THE COURT: That's good and bad.

23 See you all at 1:35.

24

25

PROCEEDINGS

1 A F T E R N O O N S E S S I O N

2 (Time noted: 1:50 p.m.)

3 (In open court.)

4 THE COURTROOM DEPUTY: All rise.

5 THE COURT: Have a seat for just a minute.

6 I received a letter, a handwritten letter signed by
7 several reporters who say that there's a technical difficulty
8 in the overflow courtroom and they cut out at about the 12:20
9 this afternoon. They want to know if it might be possible to
10 obtain a copy of the transcript.

11 The answer is, yes. Contact the court reporter and
12 she'll sell you a copy of transcript on whatever basis you buy
13 it at either hourly or daily copy. That's open to the public.

14 I don't know what more I can do about that. We are,
15 of course, taking effort to fix the courtroom, or the
16 overflow, and hopefully that won't be a long delay. But if
17 anyone wants to buy the transcript, just talk to the court
18 reporter, like any other member of public.

19 All right let's continue. Oh, the jury.

20 (Pause.)

21 (Jury enters the courtroom.)

22 THE COURT: All right, be seated, please. Sorry for
23 that short delay, ladies and gentlemen, we had some technical
24 difficulties that we're working out. We'll continue with
25 direct examination by Mr. Robotti.

SANCHEZ - DIRECT - MR. ROBOTTI

1 MR. ROBOTTI: Thank you, Judge.

2 DIRECT EXAMINATION (Continued)

3 Q So, Mr. Martinez, when we left off, you were talking
4 about the money that you made from the trains, and
5 specifically the money collected in the United States.

6 So did your workers collect money in the United
7 States?

8 A Yes.

9 Q In what cities?

10 A In Chicago and New York.

11 Q And from whom would your workers pick up money in New
12 York?

13 A It was from the sale of drugs.

14 Q And from whom would they pick up?

15 A Conejo, Vicente Carrillo. And Camilla.

16 Q And so just more specifically, in New York when you
17 workers picked up money, who were they picking up the money
18 from in New York?

19 A Vicente Carrillo's workers.

20 Q And how were you paid for the drugs you transport over
21 this route?

22 A In cash, I would say that the largest part or mostly was
23 with the drugs.

24 Q And how much did you charge for train shipments as a
25 transportation method?

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1 A I charged \$1,000 per-kilo.

2 Q And who was paying you?

3 A Vicente Carrillo's people would pay me. Also Conejo.

4 Conejo's people. And Camilla's people.

5 Q Now, were you paid in the United States or in Mexico?

6 A At times in the United States. And at times in Mexico.

7 Q And was some of the money your workers collected for your
8 payment?

9 A Yes.

10 Q And when your workers collected money in New York, what
11 would they do with it?

12 A Well, they would take it to their homes and later on I
13 would invest in purchasing watches and diamonds.

14 Q And where were these diamonds and watches purchased?

15 A Here in New York. In Manhattan.

16 Q And after those were purchased, what happened to them?

17 A Well, a person from Mexico would come and they would take
18 them back to Mexico.

19 Q And did you also have workers transport cash?

20 A Yes.

21 Q And how was cash transported from the United States to
22 Mexico?

23 A Well, we would transport it by cars in secret
24 compartments. Also on commercial planes inside appliances.

25 Q How much money's worth of jewelry did you transport back

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1 to Mexico from the United States between 2000 and 2003?

2 A Approximately a million or more than \$1 million.

3 Q And about how much cash did you transport back to Mexico
4 from the United States between 2000 and 2003?

5 A Approximately from 6 to 8 million.

6 Q Now, overall, how much profit did you make from running
7 this train route before counting for expenses?

8 A Yes, I got approximately from 25 to 30 million, or even
9 more.

10 Q And aside from running this train route, were you also
11 engaged in other drug trafficking between 2000 and 2003?

12 A Yes.

13 Q And just in general, what type of drug trafficking
14 activity?

15 A I would bring cocaine, transport it from Colombia to
16 Mexico.

17 Q And how much money did you make doing that before
18 expenses?

19 A Between 15 and \$20 million.

20 Q So would it be fair to say that before expenses you made
21 between 45 and \$50 million between 2000 and 2003?

22 A Yes, approximately.

23 Q And about how much profit did you make after expenses and
24 losses?

25 A Between 15 to 20 to \$25 million.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And how did the money that you made compare to the money
2 that your bosses made, Vicente Carrillo, Mayo Zambada and the
3 defendant?

4 MR. PURPURA: Objection.

5 THE COURT: Sustained.

6 Q Are you aware of how much money your bosses were making
7 from these train routes?

8 A Yes.

9 MR. PURPURA: Objection. The basis?

10 THE COURT: He can answer the question yes or no.

11 A Yes.

12 Q How do you know that?

13 A Well, because of Vicente Carrillo, he would tell me.

14 Q And how much money were your bosses making as compared to
15 what you made?

16 MR. PURPURA: Objection.

17 THE COURT: Overruled.

18 A Could you repeat the question again, please.

19 Q Sure.

20 How much money were you making as compared to the
21 amount of money your bosses made?

22 A Well, I was making 10 to 15 percent of what they were
23 making.

24 Q How did you spend your money?

25 A Well, I spent it on property. Houses. Horses. Cock

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1 fights. Gambling. Soccer teams. Vehicles. Cars.

2 Q And did you lose money gambling on cock fights?

3 A Yes.

4 Q And approximately how much?

5 A I couldn't tell you exactly, but it was a lot of money.

6 Q Is it fair to say millions of dollars?

7 MR. PURPURA: Objection.

8 THE COURT: Sustained.

9 Q Can you give us an approximation of how much money?

10 A Yes, between 2 to \$3 million.

11 Q Now, you testified earlier in the day that after your
12 first meeting with the defendant, you met him a second time;
13 is that right?

14 A That's right.

15 Q And about how long after this first meeting was the
16 second meeting?

17 A Two months later, two to three months later.

18 Q So what year are we in?

19 A Approximately towards the end of 2001 and the beginning
20 of 2002.

21 Q Where was this meeting?

22 A In the State of Mexico. A place that's called
23 La Marquesa. Right at the exit when you go towards the city
24 of Chalukya in Mexico.

25 Q And how did this meeting come about?

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1 A Well, a friend of Vasquez called me and he told me that
2 we're going to go see his compadre. And I said, yes, and then
3 we made an appointment for the following day so that we can go
4 meet up with him.

5 One of Chapo Guzman's workers picked us up close to
6 Santa Fe Plaza. We got in his car. And we took on the
7 highway and we headed towards the exit towards Chalukya.

8 And a few kilometers later, we got out of the
9 highway. And we took a dirt road towards the mountain.

10 We got there and about 10, 15, 20 minutes later
11 Chapo Guzman arrived.

12 Q So what happened at that meeting?

13 A Well, what happened was, we greeted each other. And he
14 told me that he had 200 kilos of cocaine for me to take to Los
15 Angeles. And he wanted to check which route would be the
16 fastest. He had an alternate route or he wanted to compare it
17 to the train route.

18 I said, yes. And then he asked me how much I was
19 going to charge him. And Alfredo Vasquez -- actually, I said
20 nothing, and a friend of Vasquez answered him, he said,
21 Compadre, we'll look into that later.

22 Q And why did you say you wouldn't charge the defendant?

23 A Well, I mean I was dealing with Chapo Guzman and I really
24 wanted to work with him with larger quantities.

25 I knew I was going to make a lot more money compared

SANCHEZ - DIRECT - MR. ROBOTTI

1 to just conducting or charging those \$2,000 -- \$200,000,
2 interpreter correction.

3 Q Now, who else was present at this meeting?

4 A Well, it was Alfredo Vasquez, and then the person --
5 well, Chapo Guzman's worker who brought us there, he was in
6 the distance. And there were other people that also, like at
7 a certain distance, and they were protecting him.

8 Q And was anyone armed?

9 A Yes.

10 Q How many people were armed?

11 A Between 10 to 12 people.

12 Q And how did they arrive at that meeting?

13 A In SUVs.

14 Q And what did the defendant arrive on?

15 A On an ATV.

16 Q Did you have a conversation with Vasquez immediately
17 following this meeting?

18 A Yes.

19 Q Can you tell us about that?

20 A Yes. Alfredo Vasquez told me to put some energy into it
21 because with his compadre, Chapo Guzman, we were going to be
22 making a lot of money.

23 Q And who were you supposed to coordinate this 200-kilogram
24 shipment to Los Angeles with?

25 A With Alfredo Vasquez.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And how do you know that?

2 A Well, because Chapo Guzman told me that from that day on
3 I was going to be doing everything with Alfredo Vasquez.

4 Q Now, how did you react to the defendant's statement they
5 should coordinate this through Vasquez?

6 A Well, yes, I was scared. I was in between a rock and a
7 hard place.

8 Q Why?

9 A Because I used to coordinate everything with Vicente
10 Carrillo.

11 Q Now, after you left this meeting with the defendant, did
12 you ultimately transport those 200 kilos of cocaine?

13 A Yes.

14 Q And when was that?

15 A A few days later, about two, three days later after
16 Alfredo Vasquez delivered them to me.

17 Q And what did you do with them?

18 A Well, at the time I wasn't doing transporting to Los
19 Angeles, so I started making sure that we would put them
20 inside the secret compartment in a tanker car and we would
21 then send them to Los Angeles.

22 Q And were these drugs ultimately sent to Los Angeles by
23 train route?

24 A Yes.

25 Q Now, did you have a conversation with Vicente Carrillo

SANCHEZ - DIRECT - MR. ROBOTTI

1 following that shipment?

2 A Yes.

3 Q Can you tell us about that?

4 A Yes. I told Vicente Carrillo that I had had a meeting
5 with Chapo Guzman. He got really angry. He said, well, he's
6 an asshole, he wants to skip over me. And he told me not to
7 go to any meeting without his prior authorization.

8 Q And what did he say would happen going forward?

9 A You mean what -- did he what Vincente say?

10 Q What did Vincente say would happen going forward?

11 A Well, that I shouldn't go any meetings and that
12 everything was going to be done through him, because he wanted
13 to take him out of the game.

14 Q So what did you understand that statement to mean that he
15 wanted to skip over Vincente?

16 A Well, I understood that he did not want to give him any
17 interest on the drugs that were going to be transported to the
18 United States.

19 Q When you say "he" there, who were you referring to?

20 A Chapo Guzman.

21 Q And what would be the advantage of skipping over Vicente
22 Carrillo in this train route?

23 A To have more profit. To make more money.

24 Q By what name did Vicente Carrillo refer to the defendant
25 during this conversation?

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1 A Yes, El Patas Cortas.

2 Q And can you describe what "Patas Cortas" means?

3 A Persons or people like us who are short in height. We
4 have shorter legs.

5 Q And was that alias that Vincente used regularly for the
6 defendant when you spoke to him?

7 A Yes. Him and I, we both used it.

8 Q And how else did Vincente refer to the defendant when you
9 spoke to him?

10 A As Chapo. And compadre of my godfather. Referring to
11 the his godfather, Mayo Zambada.

12 Q Now, you mentioned that at the time of this 200 kilogram
13 shipment you weren't regularly sending drugs to Los Angeles.

14 A Exactly.

15 Q And what cities were you focusing on at that time?

16 A Chicago, New York.

17 Q And did you continue to send shipments to LA after this
18 200-kilogram shipment from the defendant?

19 A I think I didn't any more.

20 Q Now, were the defendant's 200 kilograms of cocaine marked
21 in any way?

22 A Yes. The cocaine was printed with a sign of three 8s.

23 Q And did you ever see that triple eight brand again?

24 A Yes, a little while later.

25 Q And when did you see that?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A On an occasion when Alfredo Vasquez had delivered
2 3600 kilos to me.

3 Q How did that shipment arrive?

4 A Yes, well, Alfredo Vasquez called me and told me that we
5 had to take 3600 kilos to Chicago. And he told it belonged
6 to -- well, first he told me it belonged to Los Gueritos. And
7 then he said it belonged to Nacho Coronel.

8 Q And who is Los Gueritos?

9 A Well, yes, the Gueritos are some drug traffickers that
10 are friends of mine.

11 Q And did you have a conversation with Vasquez about
12 telling Vincente about the shipment?

13 A Yes. Yes. I told Alfredo Vasquez that I had to ask
14 Vicente Carrillo for his authorization. And he answered
15 Alfredo Vasquez, Well, fuck, the transport is ours, referring
16 to Chapo Guzman and him.

17 Q And did you ultimately transport the shipment of
18 3600 kilograms?

19 A Yes. I transported 3200 kilos. And 400 of those kilos
20 were our payment.

21 Q The payment for you?

22 A Alfredo and my payment, yes.

23 Q And those drugs ultimately went to the Chicago?

24 A Yes.

25 Q Did you tell Vicente Carrillo about this shipment?

SANCHEZ - DIRECT - MR. ROBOTTI

1 A No, I didn't tell him.

2 Q Now, aside from this shipment, did you send any other
3 shipments over the train route without first telling Vicente
4 Carrillo?

5 A Yes.

6 Q And what shipments were those?

7 A It was for La Camilla on two, three, four occasions.

8 Q And who is La Camilla?

9 A La Camilla is a Colombian. He's a drug trafficker.

10 Q And why did you send La Camilla's drugs without telling
11 Vicente Carrillo?

12 A Because I wanted to make some extra money.

13 Q Now, did you ever see any other brands while running this
14 train route aside from the triple eight?

15 A Well, yes, several.

16 Q And do you recall all the brands?

17 A No. No. Not really all of them.

18 Q And how, if at all, did the brands change over time?

19 A They were different.

20 Q Now, we'll just go over a few train shipments you did
21 without telling Vicente Carrillo, all right?

22 A Correct.

23 Q And with whom did you coordinate the vast majority of
24 your train shipments?

25 A Yes, with Vicente Carrillo.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And did Vicente Carrillo, in fact, coordinate train
2 shipments on behalf of the defendant?

3 A Yes.

4 Q How do you know that?

5 A Well, because said that Vicente Carrillo would tell me
6 about it. On two occasions, he told me specifically to mark a
7 certain amount of kilos in a certain color. For Patas Cortas,
8 referring to Chapo Guzman.

9 Q And for whom else, if anyone, did Vincente Carrillo
10 coordinate shipments?

11 A Yes, for Mayo Zambada.

12 Q Now, you mentioned that you marked kilograms in different
13 colors. What did you mean by that?

14 A Yes, Vicente Carrillo would tell me -- well, he would ask
15 me what color tape I had at the time. Well, given the colors
16 that I had at the time, be it blue, yellow, white, red. And
17 then he would tell me the amount that he was going to mark in
18 a certain color.

19 And he said to me mark these for Patas Cortas, this
20 amount. Use this color to mark them for my godfather,
21 referring to Mayo Zambada. And mark the rest with a different
22 color.

23 Q Now aside from Vicente Carrillo, who else, if anyone, did
24 you coordinate train routes with?

25 A Yes, with Rodolfo Carrillo, Vicente's brother.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And when were those shipments?

2 A Approximately the last few months of 2002.

3 Q And about how many shipments did you do for Rodolfo?

4 A One or two.

5 Q And why did you coordinate those loads with him instead
6 of Vincente?

7 A Because Vincente was on vacation.

8 Q All right. Now you identified Government Exhibit 2A,
9 which is on our photo board up there, as Mayo Zambada.

10 A Yes.

11 Q Have you ever met Mayo Zambada?

12 A Yes.

13 Q How many times?

14 A On two occasions.

15 Q When was the first meeting?

16 A The first meeting was in the first few months of 2001.
17 Approximately.

18 Q Where was that?

19 A In Torreon Coahuila, Mexico.

20 Q How did this meeting come about?

21 A Well, Alvarez Tostado, my compadre, called me and told me
22 that Vicente Carrillo wanted to see us. I said, yes. We
23 agreed to do it and we agreed to go out the next day.

24 And we arrived at a certain location that they had
25 told us to go to. One of Vicente Carrillo's workers came to

SANCHEZ - DIRECT - MR. ROBOTTI

1 pick us up. And took us to a house. That was set up as an
2 office on the second story.

3 They brought us up. Vicente Carrillo received us.
4 At the end on one side was Mayo Zambada. Sitting at a desk
5 like this. We greeted Vincente. And first he asked me -- he
6 asked me when I was going to have New York ready.

7 Q Who asked you that?

8 A Vicente asked me.

9 Q And what happened next?

10 A I said soon, that I was working on it. Vicente said to
11 Mayo, What do you think, godfather? Mayo Zambada answered,
12 Okay. He moved his head, nodded his head and said, Okay.

13 Q When Vincente asked you whether you had New York ready,
14 what did you understand that to mean?

15 A Well, he was asking me if I had a warehouse ready,
16 because he had previously told me that I had to have New York
17 ready in order to be able to -- well, take drugs to New York.

18 Q Via train?

19 A Yes.

20 Q Now, what was discussed during the rest of this meeting?

21 A Well, I've Alvarez Tostado, my compadre, continued the
22 chat. They asked him if he knew what had happened with that
23 merchandise that had been lost. Vincente asked.

24 Q And were you involved in that shipment between Tostado
25 and Mayo that they were talking about?

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1 A No.

2 Q Did you know the details of that?

3 A No.

4 Q Now, at some point after this meeting, did Mayo Zambada
5 inquire again about the route to New York?

6 A After that meeting.

7 Q Okay. And tell us about that.

8 A Well, he asked me, Well, Vicente Carrillo says, Look my
9 godfather is asking when the fuck you are going to have New
10 York ready. He referring to the warehouse with the train spur
11 with the rails going in.

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13 (Continued on next page.)

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SANCHEZ - DIRECT - MR. ROBOTTI

1 BY MR. ROBOTTI (CONTINUED) :

2 Q About when was that?

3 A I don't know, a month or so before -- or a little bit
4 less than a month after the meeting.

5 Q Now, at some point did you meet with Mayo Zambada again?

6 A Yes.

7 Q When was that?

8 A A month later, four or five months later, approximately.

9 Q Okay. And how did that meeting come about?

10 A Yes, Vicente Carrillo called me and he said I had to meet
11 with his godfather to clear something up.

12 Q And what happened next?

13 A Vicente Carrillo coordinated the location of the meeting
14 for me. He asked me what I would be wearing. I told him what
15 I was going to be wearing and that I was going to be wearing a
16 cap, and that I was at a public phone, phone booth in Mexico
17 City.

18 Q And what happened next?

19 A Well, a few minutes later Rey Zambada arrived with
20 Papi --

21 THE INTERPRETER: Oh, I'm sorry. Interpreter
22 correction, Patty.

23 BY MR. ROBOTTI:

24 Q Okay. And who is Patty?

25 A Patty is Rey Zambada's wife.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q And what happened next?

2 A He asked if I was Mecanico, and I said, yes. He told me
3 to get in. He drove for a few miles, I don't know, two or
4 three miles. We were almost at the house and he called by
5 radio. He said, We'll be there soon.

6 When we arrived, the garage was already open. We
7 went in and there was a lot of people who were armed.

8 Q And what happened during the course of this meeting?

9 A Well, the meeting was to clear up an issue having to do
10 with some merchandise that I had supposedly had changed from
11 good merchandise to bad merchandise in reference to 311 kilos
12 of cocaine.

13 Q So did Rey and Patty Zambada stay for this meeting?

14 A No. Patty stayed in the vehicle. Rey Zambada brought me
15 into the house and he told his brother, Mayo, he says, He's
16 here, like delivering him -- me to him.

17 Q And what happened next?

18 A Mayo Zambada began to insult me immediately. He asked me
19 why I switched his merchandise on him. I told him I didn't
20 know what he was talking about. He said, Don't act like
21 you're fucking stupid. You gave me 300 -- you gave me
22 311 kilos that are no good. I reiterated once again, no, that
23 I hadn't done that. He asked me, So what are we going to do?
24 And I told him to give me the opportunity to change them over
25 again in the next trip, that I would provide them from my own

SANCHEZ - DIRECT - MR. ROBOTTI

1 cocaine.

2 Q Okay. And this original shipment that you were accused
3 of changing out, where had that gone to?

4 A New York.

5 Q What happened next?

6 A Well, he had a gun in his waistband and he pointed it at
7 me in this location, my face, my head (indicating). And he
8 said, I'm not going to kill you because my godson told me not
9 to do anything to you.

10 Q And who did you understand him to be referring to?

11 A Vicente Carrillo.

12 Q All right. So what happened next?

13 A Well, after that I left. Rey and Patty took me back to
14 where they had picked me up. I called Vicente to let him know
15 what had happened, and he thought this was funny. He said
16 that my godfather, he's an asshole.

17 Q Had you, in fact, taken those 311 kilograms and changed
18 them out?

19 A No.

20 Q Did you end up replacing them anyway in a subsequent
21 shipment?

22 A Yes.

23 Q And where was that subsequent shipment to?

24 A To New York.

25 Q Okay. And by the way, when is the last time you recall

SANCHEZ - DIRECT - MR. ROBOTTI

1 seeing Rey Zambada?

2 A I only saw him that time.

3 Q Now, at some point did that train route that you ran end?

4 A Yes.

5 Q Why?

6 A Because there were three seizures.

7 Q And where were each of these seizures?

8 A Well, the first one was in New York, in Brooklyn. The
9 second one was in Chicago. And the third one was in New York,
10 in Queens.

11 Q And was it after the third seizure that you closed the
12 route?

13 A Yes.

14 Q All right. So we'll talk about those three seizures in a
15 couple of minutes.

16 I wanted to ask you, at the time of this final
17 seizure, where were you living?

18 A I lived in Mexico City.

19 Q And following the final seizure, did you stay in
20 Mexico City or did you leave?

21 A I stayed for about two or three months and then I left.

22 Q And why did you leave?

23 A Because they wanted to kill me because they had lost the
24 train route, that means of transportation.

25 Q Now, after you left Mexico City did you ever speak

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1 directly to Vicente Carrillo again?

2 A No, not anymore.

3 Q Did you ever receive a message from him indirectly?

4 A Yes, two.

5 Q And from who?

6 A Well, the first one came with my compadre, Alvarez
7 Tostado. And the second one came from Efren, and he was Amado
8 Carrillo's brother-in-law.

9 Q All right. So what message did Alvarez Tostado pass to
10 you from Vicente?

11 A He told me to call him because I owed him some money.

12 Q So who told you to call who?

13 A Alvarez Tostado told me to call Vicente because I owed
14 him money.

15 Q And what was your reaction to that?

16 A I knew that that was a lie. I knew that what he wanted
17 was for me to call him.

18 Q Now, at some point did Alvarez Tostado update you about
19 the relationship between the defendant and Vicente Carrillo?

20 A Yes.

21 Q And what did he tell you?

22 A He told me that they were at war; that they were killing
23 each other, that the two of them were.

24 Q And what, if anything, did he say about the relationship
25 between Mayo and Vicente Carrillo?

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1 A Yes. He told me that El Corajudo, referring to Mayo
2 Zambada, had turned his back on Vicente Carrillo; that he had
3 betrayed him.

4 Q What did you understand that to mean?

5 A Well, that he had left from Chapo Guzman's side.

6 Q So who had left who?

7 A That Mayo Zambada had actually taken a distance from
8 Vicente Carrillo, and that he -- that he had switched over to
9 Chapo's side completely.

10 Q Now, what was the other message you received from Vicente
11 Carrillo?

12 A Well, Efren asked me who I was taking part or sides with
13 between the war between Vicente Carrillo and Chapo Guzman. I
14 told Efren that I wasn't taking any sides because I was a calm
15 person. And that if he were really my friend, he wouldn't
16 tell Vicente Carrillo that he had seen me.

17 Q Now, have you ever directly participated in violence?

18 A No.

19 Q Have you ever indirectly participated in violence?

20 A Yes.

21 Q How so?

22 A Well, I have participated -- one of my partners, he
23 killed Toronbolo. Toronbolo had stolen some money from him in
24 Los Angeles, California and had between 500 and a million
25 dollars from the sale of drugs. And at one point in time, I

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1 found out that Toronbolo had come back to Guadalajara, and I
2 then told La Calabaza, my partner, that Toronbolo was already
3 in Guadalajara, and he told me that he was going to kill him.
4 I didn't believe him. I thought that he just wanted to get to
5 him so that he could recover his money, but no, he killed him.

6

7 Q Okay. And so you provided the location of Toronbolo?

8 A Yes.

9 Q And what was your understanding of what would happen to
10 Toronbolo when you provided that location?

11 A Well, I just thought that he was going to get him in a
12 tough spot where he would be able to get the money out of him.

13 Q And --

14 A I didn't think that he was going to have him killed.

15 Q Now, just going back for a moment to the war between the
16 defendant and Vicente Carrillo. What is your understanding of
17 who Mayo Zambada was aligned with during that war?

18 A With Chapo Guzman.

19 Q Now, did anything similar to what happened to Toronbolo
20 happen again?

21 A Yes.

22 Q And could you tell us about that?

23 A Sure. Santos, my brother-in-law who was married to my
24 sister, he worked for a person whom they called El Cuate. He
25 built secret compartments in vehicles and SUVs, and he also

SANCHEZ - DIRECT - MR. ROBOTTI

1 sold drugs in Los Angeles. At one point he suffered a loss of
2 50 kilos in Los Angeles, and he also lost a car because it was
3 seized by the police in Mexico and it had money. So they
4 blamed him.

5 Q Who blamed him?

6 A El Cuate blamed Santos.

7 Q And what happened next?

8 A Well, Cuate called me and he told me to tell my
9 brother-in-law, Santos, to pay his money or he was going to
10 kill him. I told him that I didn't -- well, ah, I told him
11 that I was going to tell him. And then he said, Well, or you
12 can pay me the money. And I told him, No, because there was
13 no reason for me to pay him the money because I didn't owe him
14 any, and that I was going to try for things to be resolved in
15 the best possible way and for him to pay him.

16 Q And did you have a conversation with Santos, your
17 brother-in-law, where you told him that Cuate was looking for
18 this money?

19 A Yes.

20 Q And what happened next?

21 A Well, I told Santos, You know, it's best -- if it would
22 be easier try to go and figure things out to see maybe if he
23 can give you more work and then that way you can pay. He went
24 to see him and he killed him.

25 Q And did you know that your brother-in-law was going to be

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SANCHEZ - DIRECT - MR. ROBOTTI

1 killed?

2 A No.

3 Q Have you ever threatened a person in connection with drug
4 trafficking?

5 A Yes.

6 Q About how many times?

7 A Two or three times.

8 Q And in general over what?

9 A For money that was owed to me.

10 Q And have you ever directed your workers or associates to
11 threaten other people?

12 A Yes. One time I sent two of my workers to threaten a
13 person who owed me \$1 million.

14 Q And was that in connection with drug trafficking?

15 A Yes, it was from the sale of drugs.

16 Q Have you ever possessed guns?

17 A Yes.

18 Q Why?

19 A To defend my house.

20 Q And did you possess guns in the United States?

21 A Yes.

22 Q And when you had a gun in the United States, was it
23 licensed?

24 A No.

25 Q Did you ever have bodyguards?

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1 A Yes.

2 Q During what time period?

3 A What time period? Approximately between 2001 and 2007 or
4 2008, for them to take care of my family.

5 Q And just to be clear, were those bodyguards members of
6 the cartel or were they privately retained?

7 A I hired them privately.

8 Q Now, were you aware whether the cartel used violence
9 while you were a member?

10 A Yes.

11 Q And how did you know that?

12 A Well, because Flaco told me about Vicente Carrillo.
13 Sombrita also told me about Vicente Carrillo.

14 Q And when you say, "told you about Vicente Carrillo," what
15 do you mean?

16 A Well, they told me that Vicente Carrillo was an assassin,
17 that he killed a lot of people.

18 Q And what was your understanding of the purpose for which
19 the cartel used violence?

20 A Well, first of all, to defend their turf, meaning the
21 area they controlled; to defend the drugs; and people who owe
22 them money; and enemies from other cartels.

23 Q And how, if at all, did you benefit from that violence?

24 A Yes. I did benefit in the sense that since I worked for
25 the cartel, I felt safe. I didn't think anybody could get to

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SANCHEZ - DIRECT - MR. ROBOTTI

1 me.

2 Q Now, let's switch gears a little bit, talk about a couple
3 meetings after your train route closed.

4 Now, after the route closed, did you meet with any
5 Chicago-based persons?

6 A Yes.

7 Q And who was that?

8 A Well, I met on two occasions with different people. One
9 time I met with Christian. He worked for me. And on another
10 occasion, I met up with the twins' older brother.

11 Q And when you're saying "the twins," who are you referring
12 to?

13 A The Chicago twins.

14 Q Now, when you met with the older brother of the twins,
15 was anyone present with them?

16 A Yes. There was another young man there, another guy.

17 Q And do you recall who that was?

18 A No. No, no. I never found out.

19 Q When was this meeting?

20 A Approximately 2005, '06, or 2007.

21 Q And where did it occur?

22 A In Guadalajara, Jalisco at one of my houses.

23 Q Now, had you ever heard about the Chicago twins before
24 this?

25 A Yes.

SANCHEZ - DIRECT - MR. ROBOTTI

1 Q When did you first hear about them?

2 A Yes, it was approximately in '97 or '98. I actually
3 heard about them through a person who worked for me, Jesus.
4 He sold drugs for me in Chicago.

5 Q And what did Jesus tell you about the Chicago twins?

6 A Well, I asked him when he was going to pay me for the
7 merchandise, for some drugs that he owed me for. And he
8 replied that the twins still hadn't paid him, and that that
9 was the reason he couldn't pay me.

10 Q All right. So directing your attention back to the
11 meeting with the twins' older brother. How did that come
12 about?

13 A Well, that meeting took place through one of my workers
14 by the name of Mauricio.

15 Q And could you tell the jury what happened during that
16 meeting?

17 MR. PURPURA: Objection.

18 Judge, could we have a brief sidebar?

19 THE COURT: Yes.

20 (Continued on the next page.)

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SIDE BAR CONFERENCE - SEALED

1 (The following occurred at sidebar.)
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MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 BY MR. ROBOTTI:

2 Q All right. So we were speaking about this meeting with
3 the twins' older brother. Could you tell us what occurred
4 during this meeting?

5 A Yes, of course. Yes, well, the twins' older brother came
6 to me and asked if I would buy two SUVs that he was selling.
7 That's how he opened up the conversation. Later on he asked
8 me if I had somebody who could supply him with cocaine in
9 Chicago or if I was working. I said I was no longer working
10 and that I had -- didn't have anyone else.

11 And he said, No, well, trust us. So we sell a lot
12 of merchandise in Chicago. He said, We get 500,000 kilos and
13 we sell them very quickly. And he said, Chapo Guzman supplies
14 us. He said, Vicente Carrillo supplies us and also the
15 Beltran-Leyvas supply us.

16 Q Now, did you know the name of either of the Chicago
17 twins?

18 A Pedro -- Pedro -- well, my worker, Mauricio, did mention
19 them both, but I remember Pedro.

20 Q And just to go back for a second. What was the amount of
21 cocaine that the twins' older brother said he was receiving in
22 Chicago?

23 A He said from 500 to one ton.

24 Q So 500 kilos to one ton?

25 A To one ton, yes.

MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Q Now, did Mauricio mention to you where the twins were
2 living at this time?

3 A Yes.

4 Q And where was that?

5 A In Guadalajara, Jalisco, at a -- in a suburb by Acuaducto
6 Avenue and Patria Avenue.

7 Q Now, are you familiar with someone known as El Profe?

8 A Yes.

9 Q And did he have any relationship with the twins, to your
10 knowledge?

11 A Yes.

12 Q And how do you know that?

13 A Through Mauricio. He was the one who introduced him to
14 the Cuate group, the twins are -- I'm sorry. El Profe
15 introduced him to the twins.

16 Q And do you recall ever seeing the twins' older brother
17 again after this?

18 A No. I don't remember if I saw him again.

19 Q And do you recall ever meeting the twins after this?

20 A No, no. I don't remember, no.

21 Q Now, have you ever had plastic surgery?

22 A Yes.

23 Q How many times?

24 A Three times.

25 Q And about what years?

MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 A Well, the first one was in the '90s or 2000. I don't
2 remember exactly. The second one was in 2006, 2007. And the
3 third one was in 2011 when I wanted to change my face.

4 Q Okay. And were the first two procedures also on your
5 face?

6 A Yes, my nose and my eyes.

7 Q And was this last procedure, the one to change your face,
8 successful?

9 A No.

10 Q Why not?

11 A Because I have high blood pressure and when I was about
12 to undergo surgery, I was bleeding a lot and the doctor
13 decided to stop it.

14 Q And why were you trying to change your face?

15 A Because I was wanted by the U.S. authorities.

16 Q Now, following the 2003 seizure in New York, did you
17 engage in any other types of drug trafficking?

18 A Yes.

19 Q And when was the last time you engaged in drug
20 trafficking?

21 A Approximately in 2007, 2008, I don't really remember.

22 Q And about how much cocaine did you traffic from 2003 to
23 2007 or 2008?

24 A Well, one boat with the 2500 kilos, and on another
25 occasion 50 kilos from Panama to Mexico, and on the third

MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 occasion, approximately 500 kilos from Panama to Mexico.

2 Q Now, are you familiar with someone name Chupeta?

3 A Yes.

4 Q Do you recall ever meeting him?

5 A I don't remember having met him. On occasions, I did go
6 to Colombia. I met people, but they wouldn't tell me their
7 names.

8 Q Now, how did you learn about Chupeta?

9 A Through Conejo, a Colombian.

10 Q And you testified earlier that you engaged in drug
11 trafficking with Conejo, right?

12 A Correct.

13 Q And you also testified that he supplied the cartel; is
14 that accurate?

15 A That's accurate.

16 Q Showing you what's been marked as Government Exhibit 67
17 in evidence. Do you recognize this person?

18 A Yes.

19 Q And who is that?

20 A El Conejo.

21 Q Now, what was the purpose of your conversation with
22 Conejo about Chupeta?

23 A Well, the conversation came up because I told him I was
24 working with Diego Montoya, one of the most important drug
25 traffickers in Colombia.

MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 MR. PURPURA: Objection.

2 THE COURT: When did this happen?

3 BY MR. ROBOTTI:

4 Q When did this conversation occur?

5 A Approximately in 2000, 2001.

6 Q And what did Conejo say to you about Chupeta?

7 A That he said, No, there are other drug traffickers that
8 are bigger than Diego. He said, There's Chupeta. He has a
9 lot of money, and he works for the Sinaloa guys, for the
10 Sinaloa Cartel people -- I'm sorry. He sends drugs to the
11 Sinaloa Cartel.

12 Q Now, do you know whether you transported any drugs
13 supplied by Chupeta over your train routes?

14 A The truth is I don't know.

15 Q And, generally, did you know all the Colombian suppliers
16 whose drugs you transported by train?

17 A No.

18 Q Now, who in the Sinaloa Cartel did Conejo primarily work
19 with?

20 A Yes. With the Beltran-Leyva brothers and with Nacho
21 Coronel.

22 Q And in general what was your relationship with the
23 Beltran-Leyva brothers?

24 A No, I had no relationship with them.

25 Q And why was there no relationship between you and Arturo

MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 Beltran-Leyva?

2 A No -- well, because he was jealous that I worked with
3 Conejo.

4 Q How did you know that?

5 A Because of Conejo himself. He said that his Tio --
6 uncle -- because he called Conejo uncle. He said his uncle
7 was angry with him because he was working with me.

8 Q Now -- I'm sorry. El Tio was whose nickname?

9 A Arturo, Arturo Beltran-Leyva.

10 Q So Conejo called Arturo Beltran-Leyva Tio?

11 A Yes.

12 Q All right. So let's speak a little bit about your
13 cooperation with the Government.

14 THE COURT: Before you go there, do you want to take
15 our afternoon break?

16 MR. ROBOTTI: Yeah, that would be great, Your Honor.

17 THE COURT: Fifteen minutes, ladies and gentlemen.

18 Please don't talk about the case. See you at 3:25.

19 (Jury exits the courtroom.)

20 (The following matters occurred outside the presence
21 of the jury.)

22 THE COURT: Everyone can be seated.

23 Let me see Counsel at sidebar for just a second.

24 (Continued on the next page.)

(The following occurred at sidebar.)

2 THE COURT: I'm revisiting one of the in limine
3 rulings I made pretrial -- I think it was pretrial -- having
4 to do with cross-examining this witness on his drunk driving
5 arrest. I do not want him cross-examined on his drunk driving
6 arrest, but the bribe that he allegedly paid in connection
7 with getting that arrest dismissed, I am kind of leaning
8 towards going in that direction unless, and I haven't heard it
9 but I probably will, is that there's just so much evidence of
10 dishonesty that it really loses any probative value and has no
11 prejudicial impact. If I do allow anyone to go into it, it
12 will, again, be not to say he was arrested for drunk driving,
13 but he was arrested for a driving offense and he committed
14 bribery or allegedly committed bribery in connection with
15 that.

I am telling you now so you can draw your teeth on it if you want to. I am telling the defendant because you guys may not need it because he is -- like I said in the decision, I think you have got plenty. But technically, that's admissible. The only reason I keep it out is Rule 403, because there is an abundance of other evidence itself.

22 Let's see how it develops and I will leave it to the
23 prosecutors as to whether they want to bring it out on direct.

24 MR. ROBOTTI: Yes, Your Honor. I am going to elicit
25 it in the back portion here his past bribes that he did pay

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SIDEBAR CONFERENCE

1 the federal police in Mexico, which I think was the basis for
2 keeping this out to begin with, was that it was going to be
3 cumulative as compared to those other bribes and prejudicial
4 given the nature of the arrest.

5 So I think that is still our position here --

6 MR. PURPURA: Judge, I can shortcut this.

7 If my cross-examination depends on a bribe from a
8 DWI, I'm in trouble.

9 THE COURT: Say that again. You're in trouble --

10 MR. PURPURA: I'm not going into it.

11 THE COURT: Well, that was the essence of my ruling
12 anyway, was that --

13 MR. PURPURA: I agree. I agree.

14 THE COURT: So it's almost moot anyway.

15 Okay. We're in recess.

16 (Continued on next page.)

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SIDE BAR CONFERENCE

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1 (Sidebar ends; in open court.)

2 (Recess taken.)

3 (Continued on the next page.)

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MARTINEZ SANCHEZ - DIRECT - MR. ROBOTTI

1 THE COURT: Let's have the jury please.

2 Still finishing today, Mr. Robotti?

3 MR. ROBOTTI: Yes, your Honor. I think I'll be done
4 in the next hour.

5 (Jury enters.)

6 THE COURT: Be seated, please. Proceed,
7 Mr. Robotti.

8 MR. ROBOTTI: Thank you, Judge.

9 BY MR. ROBOTTI::

10 Q Mr. Martinez, a couple of follow up questions from before
11 the break. You testified about a conversation where Alvarez
12 Tostado passed a message to you from Vincent Carrillo. When
13 was that conversation?

14 A Approximately in 2004.

15 Q Have you ever paid any bribes?

16 A Yes.

17 Q To whom?

18 A The federal police.

19 Q In Mexico?

20 A Yes.

21 Q For what purpose did you pay those bribes?

22 A To protect the drugs that I was transporting.

23 Q About how many times did you do that?

24 A Five, ten times.

25 Q How much money in bribes did you pay on those occasions?

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1 A Between 100 and -- between 100 and \$150,000 per time.

2 Q Is that U.S. dollars?

3 A Yes.

4 Q Let's go back to your cooperation with the Government.

5 At some point were you arrested for the crimes you committed
6 in connection with the cartel.

7 A Yes.

8 Q When was that?

9 A It was February 2 of 2014.

10 Q Where were you arrested?

11 A In the city of Leon, Guanajuato Mexico.

12 Q Shortly after your arrest did you meet with agents from
13 the U.S. Government while in Mexico?

14 A Yes, at the jail.

15 Q Who else was present aside from U.S. authorities?

16 A Mexican authorities, from the PGR.

17 Q Were you cooperating with U.S. Government at the time?

18 A No.

19 Q Were you completely truthful during that meeting?

20 A No.

21 Q What were you not truthful about?

22 A Well, about two things. The first one was when they
23 asked me how long it had been since I had seen my former wife.
24 I told them that she had left me in 2010 and that I hadn't
25 seen her since. And I that was a lie, because I would see her

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1 and my daughters frequently.

2 Q What else were you not truthful about?

3 A They asked me if I had any properties, and I said no.

4 Q Why did you lie about that?

5 A Because I was afraid that the Government was going to
6 take them from me.

7 Q During this meeting with U.S. and Mexican authorities,
8 did you acknowledge your involvement in drug trafficking?

9 A Yes.

10 Q Were you subsequently extradited to the United States?

11 A Yes.

12 Q When were you extradited?

13 A I was extradited on December, either the 17 or the 18, of
14 2015.

15 Q After your extradition, did you later start cooperating?

16 A While I was here, yes.

17 Q After you started cooperating, were you truthful with the
18 Government?

19 A Yes.

20 Q Did you ultimately enter into a cooperation agreement
21 with the Government?

22 A Yes.

23 Q Let's talk about that agreement. Did you plead guilty
24 pursuant it a cooperation agreement on October 19, 2016.

25 A Yes.

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1 Q I'd like to show what you is marked for identification as
2 3500-TMS-2A. Do you recognize this?

3 A Yes.

4 Q What is it?

5 A That's the cooperation agreement.

6 MR. PURPURA: No objection, your Honor.

7 MR. ROBOTTI: The Government offers this into
8 evidence, your Honor.

9 THE COURT: Received.

10 (Government Exhibit 3500-TMS-2A, was received in
11 evidence.)

12 BY MR. ROBOTTI::

13 Q Looking at page 12 of 3500-TMS-2A, do you recognize your
14 signature?

15 A Yes.

16 Q To what charges did you plead guilty?

17 A To the biggest one, distribution and importation of
18 cocaine into the United States.

19 Q During what time period were those charges?

20 A From '99 to 2003.

21 Q At the time of your guilty plea, did the Court advise you
22 of the maximum term of imprisonment that you're facing on the
23 drug charge?

24 A Yes.

25 Q What is that?

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1 A Life.

2 Q Were you also advised of the minimum term of imprisonment
3 you were facing on the drug charge?

4 A Yes.

5 Q What is that?

6 A Ten years.

7 Q Have you been sentenced yet for the crimes to which you
8 pled guilty?

9 A Not yet.

10 Q When will you be sentenced?

11 A When I finish my cooperation.

12 Q Has the Government promised you a specific sentence in
13 exchange for your cooperation?

14 A No.

15 Q Who decides your sentence?

16 A Only the honorable judge.

17 Q What do you hope to receive from the Government in
18 exchange for your cooperation?

19 A The 5k.1 letter.

20 Q What is your understanding of what a 5k.1 letter is?

21 A Well, it's a report that the Government will send the
22 judge.

23 Q About your cooperation?

24 A About my cooperation.

25 Q Does that letter require the judge to give you a

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1 particular sentence?

2 A No.

3 Q Are you familiar with what is known as an S Visa?

4 A Yes.

5 Q Has the Government agreed that it may apply for an S Visa
6 for you?

7 A Yes.

8 Q What are you required to do as a cooperating witness?

9 A Mostly, mainly rather, to tell the truth. And to be here
10 as needed at trials, to go to all the meetings that the
11 Government asks of me, and to pay a \$2 million fine.

12 Q Have you agreed in your cooperation agreement with the
13 Government that you're going to pay forfeiture in the amount
14 of \$2 million?

15 A Yes.

16 Q Under your agreement, by when must you pay that?

17 A Before I go to my sentence.

18 Q Have you met with the Government in preparation for your
19 testimony today?

20 A Yes.

21 Q About how many times?

22 A Approximately 30 times.

23 Q Is that over the last 18 months or so?

24 A Yes, approximately.

25 Q Are you presently in the Witness Security Program?

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1 A Yes.

2 Q Before you went into protective custody, were you housed
3 in another jail?

4 A Yes.

5 Q While you were there, did you lie to a prison official?

6 A Yes.

7 Q What did you tell that official?

8 A Well, I told the chief that a person had told me that
9 they wanted to hurt me.

10 Q Why did you do that?

11 A I like lied to him because I was really afraid, because I
12 had signed Chapo Guzman's extradition.

13 Q As a result of that statement to the official, were you
14 placed in protective custody?

15 A Yes.

16 Q Did you voluntarily tell the Government about this?

17 A Yes.

18 Q What did you do after that?

19 A After that I went and I talked to the chief, and I told
20 him to forgive me because I had lied to him.

21 Q Let's turn back to 2002 and 2003 and three seizures that
22 occurred while you were running the train routes. About when
23 was the first seizure?

24 A Approximately May or June of 2002.

25 Q About what quantity of cocaine was seized?

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1 A Close to 2 tons.

2 Q How did you learn about the seizure?

3 A Through my worker, Ramiro Sanchez.

4 Q What was Ramiro Sanchez's role in the shipment?

5 A Him and his people would unload the drugs from the train;
6 more specifically, from the tanker car.

7 Q Where was the seizure?

8 A In Brooklyn.

9 Q About how long after the seizure did you first learn
10 about it?

11 A Hours later.

12 Q By what means?

13 A Ramiro Sanchez called me on the phone.

14 Q Did you ever meet with Ramiro Sanchez in person about
15 this seizure?

16 A Yes.

17 Q How long after the seizure?

18 A Days later, I would say five or ten days later.

19 Q Where was that meeting?

20 A In one of my houses in Guadalajara Jalisco, Mexico.

21 Q Will you tell the jury what you learned from Ramiro
22 Sanchez about the seizure during these conversations?

23 A Yes, of course. Well, Ramiro Sanchez called me and he
24 told me that the person that was going to deliver the cocaine
25 that that person, Pedro, had forgotten his keys inside the

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1 warehouse. And Pedro had to jump over in order to get the
2 keys back. And Ramiro Sanchez was at a certain distance away
3 from there, a few miles a way, or a mile. I mean, he did say
4 that he was a long distance. And he saw that there were
5 patrol cars right outside of the warehouse. And he didn't
6 really give me more elaborate explanation.

7 Q Was anyone arrested?

8 A Yes.

9 Q Had you ever met the people who were arrested?

10 A I did not meet the people.

11 Q Did you know the names of any of the people who were
12 arrested?

13 A Yes, I knew of one of them, Pedro.

14 Q Who else, if anyone, did you speak with following the
15 seizure?

16 A Yes, I spoke to Vincent Carrillo.

17 Q Can you tell the jury about that conversation?

18 A Yes. I called him and I said, sir, the police came to
19 the warehouse. And that's where the merchandise was. And he
20 asked, well, how did that happen? And I said, sir, I do not
21 know. And I said, well, my worker, the one who is in charge
22 of receiving the drugs in New York, he's coming to talk to me.
23 He said, well, let's see if my godfather gets upset. And he
24 was referring to Mayo Zambada.

25 Q What happened next?

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1 A Well, later on, days later, about 15 or 20 days later, he
2 called me and he said you know what, Mecanico, you're not to
3 blame at all, you're not at fault.

4 Q Who called you?

5 A Vincent Carrillo called me.

6 Q Was there any explanation as to why you weren't to blame?

7 A Yes. He told me that his godfather's people, meaning
8 Mayo Zambada's people, they have gotten attorneys for the ones
9 who have been arrested. And he said that there was a police
10 report. And the police report showed that the people who were
11 on the way to receiving the merchandise were being followed.

12 Q Was that significant to you?

13 A Yes, of course.

14 Q Why?

15 A Well, because first of all I was calm because I wasn't
16 going to have any problems with either Vicente or Mayo. And
17 secondly, I was going to be able to continue working, meaning
18 bringing drugs from Mexico into the United States, because the
19 seizure had taken place at the distribution warehouse and not
20 at the warehouse where they would receive the train.

21 Q Where was the train warehouse located at this time?

22 A In New Jersey.

23 Q How were the drugs transported from the train warehouse
24 in New Jersey to the distribution warehouse in Brooklyn at
25 this time?

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1 A Yes, they were transported in a small cargo truck.

2 Q Where were the drugs hidden in it that truck?

3 A Inside a secret compartment within a false wall at the
4 back end of the box.

5 Q What changes, if any, did you make following this
6 seizure?

7 A Yes, I changed, well obviously, I changed the
8 distribution warehouse. And I changed people, meaning my
9 workers.

10 Q At some point did you also change the train warehouse?

11 A Yes.

12 Q How long after the seizure was that?

13 A I don't know, about two, three months later.

14 Q Where did you change the train warehouse to, what
15 location?

16 A To Queens, New York.

17 Q Did you make additional train shipments to New York
18 following the seizure?

19 A Yes.

20 Q Let's turn to the second seizure, when was that?

21 A Yes, the second seizure was in Chicago. It was
22 approximately in July or August of 2002.

23 Q Where was it?

24 A At the distribution warehouse in Chicago.

25 Q How did you learn about this seizure?

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1 A Yes, it was through a worker, Rafael Barragan.

2 Q What was Rafael's role in the drug shipment?

3 A Well, he was in the house. He was in charge of cleaning
4 the house where they lived and also of cooking the meals.

5 Q Was he aware of the drug trafficking shipment coming
6 there to your knowledge?

7 A Yes.

8 Q About how long after the seizure did you learn about it
9 from Rafael?

10 A I don't remember exactly. I don't know if it was the
11 same day or the following day.

12 Q Was that by phone?

13 A Yes, by phone.

14 Q Did you later meet with Rafael?

15 A Yes.

16 Q Where was that?

17 A In Guadalajara Jalisco, Mexico.

18 Q Will you tell the jury what Rafael told you about the
19 seizure during these conversations?

20 A Of course. Rafael came to Guadalajara Jalisco, Mexico,
21 and told me the police had come to the warehouse where the
22 cocaine was stored. He said they took Javier away, and Andres
23 Robles. And they had come finding him, or looking for him, at
24 the house where he was living. And that they had released him
25 because he said that to them that he was only there to clean

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1 the house and to cook food, and that he knew nothing about the
2 merchandise. But later on he told them the truth, that he did
3 know about the merchandise, but that he didn't work
4 distributing it.

5 Q Just to be clear about what quantity of cocaine was
6 seized?

7 A I don't know, approximately 1800 to 2,000 kilos of
8 cocaine.

9 Q You mentioned this was at the distribution warehouse, not
10 the train warehouse, right?

11 A Correct.

12 Q Was that significant to you?

13 A Yes.

14 Q Why?

15 A Because I could keep working, bringing drugs from Mexico
16 to the United States, since nothing had happened at the train
17 warehouse.

18 Q Now at that time, how were the drugs transported from the
19 train warehouse to the distribution warehouse in Chicago?

20 A Same as New York, in a small cargo truck.

21 Q Were the drugs hidden in there?

22 A In a false wall at the end of the box.

23 Q You mentioned Andre Robles and Javier were arrested, what
24 was Javier's last name?

25 A Javier Cecena.

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1 Q I'd like to show what you is marked Government's Exhibit
2 38 and 88 for identification. First looking at Government's
3 Exhibit 38, do you recognize this person?

4 A Yes.

5 Q Who is that?

6 A Javier Cecena.

7 Q Looking at Government's Exhibit 88, do you recognize this
8 person?

9 A Yes.

10 Q Who is that?

11 A Andres Robles.

12 MR. ROBOTTI: The Government offers Government's
13 Exhibit 38 and 88 into evidence.

14 MR. PURPURA: No objection.

15 THE COURT: Received.

16 (Government Exhibit 38 & 88, was received in
17 evidence.)

18 BY MR. ROBOTTI::

19 Q So looking first at Government's Exhibit 88, who is that?

20 A Andres Robles.

21 Q And Government's Exhibit 38, is that Javier Cecena?

22 A Yes.

23 Q What if any conversation did you have with Vicente
24 Carrillo following the seizure?

25 A Yes, I called him as soon as I learned about it. And I

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1 said, sir, they came to the warehouse once again. The heat is
2 on us. And he says, you just keep going. Fuck it. Don't be
3 a scaredy cat. He says, let's see what Patas Cortas has to
4 say about this, referring to Chapo Guzman.

5 Q What did you understand that to mean?

6 A Well, to see if he was going to get angry.

7 Q What steps, if any, did you take to assist the persons
8 who had been arrested?

9 A Yes, through Christian, one of my workers, we got a
10 lawyer for them.

11 Q Why did you get lawyers for the people who had been
12 arrested?

13 A Yes, well, mainly so that they would feel protected and
14 they wouldn't talk about me. Since they'd known me for many
15 years, I didn't want them to give my real name.

16 Q What was your reaction to the seizure?

17 A Well, my reaction was that I now thought the police was
18 following us. I wanted to stop doing transport now. But
19 Vicente said no, he wanted me to continue.

20 Q Did you continue making train shipments to Chicago
21 following the seizure?

22 A Yes.

23 Q How many shipments did you send to Chicago following the
24 seizure?

25 A I'm not too sure, but one or two, one or two loads after

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1 that.

2 Q What, if anything, did you change in Chicago following
3 the seizure?

4 A Yes, I changed the people who distributed the drugs, and
5 I changed the distribution warehouse.

6 Q When was the third and final seizure?

7 A Yes, that was in January 2003.

8 Q Where was that?

9 A In Queens, New York.

10 Q About how long after the shipment in Chicago was it?

11 A Months later, three or four months later approximately.

12 Q How did you learn about this seizure?

13 A Yes, I learned about it through a worker called Potrillo
14 or Caballero.

15 Q Two aliases for the same person?

16 A Yes.

17 Q What was his role in the shipment?

18 A He had Ramiro Sanchez's role, receiving the tanker cars
19 with the drugs and distributing it.

20 Q How did you speak with him following the seizure?

21 A By phone.

22 Q Did you ever meet with him in person?

23 A Yes.

24 Q Where was that?

25 A In Guadalajara Jalisco, Mexico.

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1 Q Can you tell the jury what you learned about these
2 conversations with Potrillo about the seizure?

3 A Yes, of course. He told me that they had picked up a van
4 on Friday in order to deliver the drugs on Monday. That they
5 had put the van inside the warehouse where the drugs were.
6 And that the police had come to the apartment where he was
7 staying at on Monday. And they hadn't delivered the drugs
8 because it was a holiday.

9 Q What happened when the police arrived at Potrillo's
10 apartment?

11 A Well, he told me that Potrillo had seen them from up
12 above when they arrived. And that when he saw them, he
13 grabbed a blanket and he climbed down to the apartment below.
14 And that he grabbed a knapsack with money and put it on his
15 back.

16 Q So he climbed out his apartment window down to the
17 apartment below?

18 A Yes, exactly.

19 Q What happened next?

20 A Well, the police came they knocked on the door. They
21 asked if they knew the person who was staying up above. And
22 the owner of the apartment said he didn't know anything about
23 anybody and he wanted them to leave his house.

24 Q What is your understanding of why he said that?

25 A Because he was hiding him.

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1 Q Why?

2 A Because he was going to pay him between 30 and \$50,000
3 for hiding him.

4 Q Now, was this seizure at the train warehouse or at the
5 distribution warehouse?

6 A No, at the train warehouse.

7 Q Who had gotten that warehouse for you in New York?

8 A Jose Gudino.

9 Q Was this significant to you that it was at the train
10 warehouse?

11 A Of course, very significant.

12 Q Why?

13 A Because I understood that means the transportation was
14 now done.

15 Q Did Potrillo tell you what, if anything, was left out at
16 the warehouse before the seizure?

17 A Well, I asked Potrillo, the first thing I asked Potrillo
18 was where the merchandise was when they arrived, when the
19 police arrived. And he said it was inside the train car. I
20 said if it was outside the secret compartment, and he said
21 yes. I asked him if he had cleaned out the train car,
22 referring to whether he had taken the sheets off and the spot
23 welding spots, and he said no.

24 Q Now was anyone arrested?

25 A Yes, two people.

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1 Q Do you know their names?

2 A No, I don't.

3 Q Have you ever met them?

4 A Yes, on one occasion.

5 Q With whom, if anyone, did you speak following this third
6 seizure?

7 A Yes, of course, I spoke to Vincent Carrillo.

8 Q Could you tell us about that conversation?

9 A Yes. I told him, sir, the police came back to the
10 warehouse. He said what happened. And I said, I don't know.
11 The guy who was working with me is going to come and explain
12 things better. And he got upset. And he said let's see if
13 Patas Cortas gets upset.

14 Q What happened next?

15 A Well, days later we had some more conversations. He told
16 me to continue using that route.

17 When I said he, I was referring to Vincent Carrillo.

18 And I said, no, no longer. And in one of those
19 conversations he said that Patas Cortas said to come up with
20 another hidden compartment or trap in a box car.

21 Q What did you understand that to mean?

22 A Well, to set up another company, another train route, but
23 now using different train cars.

24 Q Just to be clear, when the Vincent Carrillo was referring
25 to Patas Cortas, what did you understand that to mean?

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1 A Chapo Guzman, because that's the way he and I referred to
2 him.

3 Q Did you take any steps to start a new train route with
4 the box cars after this?

5 A No, I didn't, no.

6 Q Why not?

7 A Well, I just didn't want to keep going.

8 Q Why?

9 A Because they had already discovered that transportation
10 method and I didn't want to keep working with them. It was
11 too much pressure.

12 Q At some point did you have a conversation with Vicente
13 about your delay in coming up with a new train route?

14 A Yes, of course, yes. He said, invent or come up with
15 another way by land using cargo trucks. When he saw I wasn't
16 doing anything on one occasion he says to me, brace yourself,
17 because Patas Cortas is angry.

18 Q What did you do after?

19 A Well, what did I do, I stopped answering -- well, I
20 delivered in that period of time some merchandise I had that
21 belonged to him. And then I stopped answering.

22 (Continued on next page.)

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1 BY MR. ROBOTTI::

2 Q Merchandise that belonged to whom?

3 A To Vicente Carrillo.

4 Q And how long after that did you leave Mexico City?

5 A Can you repeat that question.

6 Q Sure.

7 How long after that did you leave Mexico City?

8 A Yes, two or three months later.

9 Q Mr. Martinez, combined, how much money were these three
10 seizures worth?

11 A Approximately, I don't know. A hundred million dollars,
12 approximately.

13 MR. ROBOTTI: Thank you. I have no further
14 questions.

15 THE COURT: All right.

16 I will send you home now, ladies and gentlemen. No
17 media exposure to the case. No research into the case. No
18 communications with anyone about the case. No social media.
19 No Googling, anything, yahooing, or anything like that. Don't
20 post anything. No tweeting.

21 We'll see you tomorrow at 9:30. Thank you for your
22 attention.

23 (Jury exits the courtroom.)

24 THE COURT: Okay, everyone be seated. The marshals
25 can take the witness out.

1 I want to talk just for a minute about my in-camera
2 review of the four reports for tomorrow, which I've started
3 and not finished.

4 So far I'm not really seeing anything that I see any
5 way the defense can use. On the other hand, I'm not sure I
6 understand all the redactions that the government has put into
7 it.

8 As I understand from the defendants there's no
9 complaint about the entirely blanked out pages, but there is a
10 complaint about the redactions, the line-by-line redactions,
11 which make some of them incomprehensible.

12 You know to the extent the government is worried
13 about embarrassing people. I'm not seeing much in there that
14 is so embarrassing to people. So consider that and maybe
15 delete those redactions.

16 To the extent it's compromising investigations or
17 witness safety, I think I saw some of that, but, of course,
18 that's harder for me to judge because I'm not privy to the
19 extent of the government's investigation.

20 But I am distinguishing between embarrassment
21 rationale and investigative or security rationale. And if
22 it's the former, the first of those three, then the government
23 needs to convince me that you really need it in there, because
24 I'm not convinced yet.

25 The other thing that I think the government ought to

1 consider, and I think it can be done overnight, God knows
2 you're good enough at filing motions overnight. You know,
3 something, what we referred to in another context as
4 "brutinization," whereby you could, instead of just having a
5 blank, you could have Person A, Company A, something like
6 that. That may be feasible and may at least give the defense,
7 you know, a little more meaning than the paragraph that they
8 have with all these words missing.

9 So I want the government to think about that and see
10 if they can come up with a less redacted proposal for
11 cross-examination tomorrow morning.

12 But I'm not ruling. I haven't ruling because I
13 haven't completed my review yet. Those are just preliminary
14 thoughts I wanted to convey and if the government thinks my
15 advice is feasible, that would simplify and eliminate any
16 dispute we have over it.

17 Okay, anything else?

18 MS. PARLOVECCHIO: Nothing else, Your Honor.

19 THE COURT: Okay. Have a good night.

20 * * * *

21 (Proceedings adjourned at 4:20 p.m. to resume on
22 December 11, 2018 at 9:30 a.m.)

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1 I N D E X

2 WITNESS PAGE

3 TIRSO MARTINEZ SANCHEZ

5 DIRECT EXAMINATION BY MR. ROBOTTI 2542

6 I N D E X

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